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MEMOIRS

OF

LORD BOLINGBROKE.

VOL. II.

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MEMOIRS

OF

LORD BOLINGBROKE.

BY

GEORGE WINGROVE COOKE, ESQ.

IN TWO VOLUMES.

VOL. II.

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OF

LORD BOLINGBROKE.

CHAPTER I.

Causes of Bolingbroke's Disgust with the Pretender.—His Position with respect to the Tories.—Character of the Pretender.—His Address.

CHAP I.

A.D. 171

THE circumstances of being secretary of state to two contending parties, and being attainted by both those parties within the short space of twelve months, is peculiar to the fortune of Bolingbroke. The first was a substantial misfortune; the second, so immediately following and so similar in form, appears upon the picture of his life as the shadow of the former. The first was the result of an honourable ambition, tarnished by some sacrifice of principle, and perhaps by too reckless a rivalry; but the second was the worthy reward of a slavish fidelity to a party which scrupled not to adopt the most indefensible means to acquire a selfish end: and even this motive was thwarted by the same spirit which, in the

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British secretary, was ambition, but which, in the adherent of the Pretender, deserves no higher title than jealousy.

There can be no doubt but that the cause of the violent disgust Bolingbroke took for the party of the Pretender was a jealousy he soon began to entertain of the Duke of Ormond. To be second in the cabinet of England, his ambition could scarcely brook; to be second in the tawdry court of a mock prince, stung his proud spirit almost to madness. He had despised the supremacy, had it been undoubtedly his own: he could not endure to see his title disputed to what he thought hardly worthy of his notice. He never forgave himself for having joined the Pretender at all; and it was certainly a step unworthy of him. Upon his arrival in France, he had given his word to the Earl of Stair that he would enter into no such engagement. When he brake that promise, he committed a breach of faith which it is useless to palliate and impossible to justify. It was certainly made voluntarily, and without any hope of personal reward. It was also made for the purpose of serving his party, and failed of that effect. But neither of these considerations can invalidate an honourable engagement, or excuse the weakness of abandoning a wise resolution.

And what were the men for whom he sacrificed not only all claim to real patriotism, but also his independence, his secret sympathies, and his hopes of present pardon? With the Tories, as a body, he had little community of sentiment: he was bound to

them by no tie save that of party interest; he held in view with them no common object save the attainment and preservation of power. While the prize eluded their grasp, they were united in its pursuit; but past experience showed that, should it ever be obtained, they would quarrel over its division. The strongest outlines of the Tory scheme of government were to Bolingbroke objects of ridicule and derision. The doctrines of an absolute monarchy, which had so lately resounded through the land from the pulpits of the Tory clergy, he rejected with a smile of contempt. The very church which inculcated this doctrine, and which was the peculiar object of idolatry with the party, Bolingbroke considered only as a political contrivance;—not an edifice to stand venerable and intact amid the storms of party controversy; but an engine to be fashioned to the purposes of the statesman, and to be directed to advance the designs of the politician. There was no grand principle in politics upon which he and his party agreed. The desire of peace could not be so considered, since it was suggested by the emergency of immediate circumstances, and recommended by their immediate interest. The persecution of the dissenters could not be so considered, for it was adopted by him merely to advance a court intrigue; and he has since declared that no design against them ever existed in the cabinet.* It was ambition therefore, not principle, which made him nominally a Tory.

* Letters upon the Use and Study of History.

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He followed the footsteps of that party as the lion follows the track of the jackals; and he seized upon the prey which their incessant clamour had brought within his reach. Ambition had influenced him in choosing his station — a respect for consistency forbade him to abandon it:—the one rendered him daring and successful in his rise — the other preserved him dignified after his fall.

Yet the Tories, in whose service he had sacrificed so much, were his most vehement and relentless calumniators. They were the first to give credence to the accusations dispersed by the immediate followers of the Pretender, and to add to the accusations of rebel to his king, that of traitor to his adopted chief, and of deserter from his party.

It was a misfortune which he thought the direst that could befal a public man, to be obliged to defend himself against such accusations and against such accusers; to be forced to reflect that, by associating with so much knavery and so much folly, he had become the victim of both. The hopelessness of the cause in which for their sakes he engaged, has already frequently come before us: the ungratefulness of the offices he had to fulfil was a theme no less copiously illustrated. The character of the man he was attempting to place upon the British throne was a subject of no less reflection to him, and deprives him of much of his claim to the admiration of posterity.

Bolingbroke considered that it was necessary for

the preservation of the liberties of his country that the protestant religion should be preserved, or at least that the public establishment of the Roman catholic religion should be excluded.* Let us see what he himself says of the religious views of the prince he was about to place upon the throne. We learn from him, that that person's religion was not founded on the love of virtue and the detestation of vice—on a sense of that obedience which is due to the will of the Supreme Being, and a sense of those obligations which creatures formed to live in a mutual dependence on one another lie under. The spring of his whole conduct was fear—fear of the horns of the devil and the flames of hell. He had been taught to believe that nothing but a blind submission to the church of Rome, and a strict adherence to all the terms of that communion, could save him from these dangers. He had all the superstition of a capuchin; but one could discover in him no tincture of the religion of a prince. Bolingbroke declares that he heard the same description of his conduct given by those who knew him best, and that he conversed with very few among the Roman catholics themselves who did not consider him too much a papist.

We have a fine specimen of the conduct he would have pursued upon the throne, in the amendments which he insisted upon making in an address which Bolingbroke had drawn up to be dispersed in England.

* Letter to Sir William Windham.

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Every expression which had the most remote tendency to bind him to any specific conduct with regard to religion, was altered and turned with the most jesuitical prevarication; and the object of the alterations was so evident and so base, that Bolingbroke refused to countersign it as settled. It was printed, therefore, without his name being attached to it. Among other evidences of his superstition contained in the alterations of this draft were, striking out the word "blessed," which had been applied to the memory of the late queen;—the memory of no heretic could be blessed in the eyes of the regal bigot;—an alteration of the expression "when it pleased Almighty God to take her to himself," into "when it pleased Almighty God to put a period to her life," (an unequivocal declaration of his opinion of his sister's future fate:) and other expressions relating to particular persons were used with equal care, that even no constructive offence against the strict tenets of his church might be committed. Another alteration made was yet more unequivocal and alarming. In the clause which related to the churches of England and Ireland, there was a plain and direct promise originally inserted, "of effectual provision for their security, and for their re-establishment in all those rights which belong to them." This clause was not suffered to stand; but another was inserted, in which all mention of the church of Ireland was omitted, and nothing was promised to the church of England but the "security and re-

establishment of all those rights, privileges, and immunities which belong to her." Even this was not enough: these rights, privileges, and immunities were to be secured "according to the declaration of the month of July;" and this declaration, which had been drawn up by a priest of the Scotch College, defines their privileges to be, security and protection to the members of the church "in the enjoyment of their property." If this was all he would promise when he required the strenuous assistance of the protestants, what would have been his acts when his throne was secure and his power consolidated?

This account of the character of the Pretender might be suspected as highly coloured, did it rest solely upon the authority of Bolingbroke: but, from the testimony of his adherents, it appears that the disgraced secretary rather suppressed than magnified his imbecility. Dr. King, who was never suspected of any affection for the house of Hanover, describes the Pretender as ignorant, illiterate, mean-spirited, avaricious,* and ungrateful; and he gives us abundant instances to warrant his opinion.

* Dr. King's Anecdotes of his own Time. It appears from the memorials of the time, that George the Second was not untainted with the same vices. It is difficult to decide which of these competitors for the crown was the more unworthy of it. To look with complacency upon the reigns of the two first Georges, we must keep in view the invaluable constitutional principle which the fact of their succession proclaimed.

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Some excuse may be admitted for the Tories in England, who at this time knew nothing of all this, and knew him only through the accounts of his emissaries as a moderate, tolerant, docile prince. None can be found for Bolingbroke, who knew it all, and yet continued his efforts in his behalf.

Such was the man to whom the determination of his party had attached Bolingbroke for life. Having once embraced his service, that consistency which he so dearly prized forbade him to think of returning—certainly forbade him to think of making any terms with the house of Hanover. He had seen this necessity when he took the decisive step, and he had then resolved upon his future conduct. This was the last struggle of the Tories for power: in it he determined to assist them. If it failed, he would have esteemed himself at liberty to retire from his service, and to abandon for ever all political pursuits.

This was a resolve which he was no doubt sincere in making, but which he would have been as certainly incapable of keeping. An affectation of a love of retirement, and a distaste for the cares of business, was a weakness which was often ridiculed by his friends; but his frequent disappointments countenance the supposition that these fits of retirement and ease were often as sincere as they always were transient. Had he put in practice such a design, he would have found himself strangely situated, —unable to accept any offer of pardon or restoration,

although no longer actively employed in the service of the Pretender; and bound in some degree to render his services when any immediate design should induce that person to call him from his obscurity, although he had lost all taste for his cause and all wish for his success. The Pretender and his counsellors ordered matters much better for him than he could have done for himself, and, by resuming a chain which had ceased to be an emblem of honour, left him at liberty to pursue the course which his inclinations and his interest alike dictated.

Philosophy may disarm exile of some of its rigours; but no discipline of the mind can remove the tenderness and regret with which the memory will recur to the scenes of early pleasures, and the abode of loved and absent friends. The mind of the philosopher was not free from the affections of the man; and Bolingbroke, although he could preserve himself from uselessly repining at his misfortunes, did not pretend to remain contented under them. His thoughts dwelt upon the hope of a return to his country; and he eagerly looked for some honourable opportunity of making his peace with the government.

For this greater facilities existed than, when he first conceived its possibility, he supposed. While he was engaged with the Pretender, the authorities at home dreaded his talents, and felt the force of his influence. They knew the value of his assistance, and the confusion which must follow his defection;

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and, personally interested as they were in preventing his return to England, they thought that abroad he was a more dangerous enemy than he could be at home. It was determined, therefore, to attempt to detach him from the cause he had so imprudently espoused; and full powers were sent to the Earl of Stair to treat with him for that purpose. This commission the earl was well disposed to execute: he entertained towards Bolingbroke sentiments of admiration and esteem, if not of friendship; but he knew his character too well to venture to make a proposal which, he was convinced, would be rejected with indignation and resented as an insult. While he remained in the service of the Pretender, therefore, the earl never hinted that he had any such powers as he had received; and, notwithstanding the good feeling which had ever existed between them, not even the most indirect communication passed between the two ministers while the services of Bolingbroke were devoted to the promotion of the rebellion.

But no sooner were all his engagements in that quarter at an end, and it was known that he was free to enter with honour upon a negotiation for his return, than he sent Mr. Saladin to him, to inform him of the King's disposition to grant him a pardon, and to assure him of his own unaltered regard. Bolingbroke embraced the offer with the gratitude which it deserved, and had an interview with the earl upon the subject. During a conversation of an

hour and a half, he explained to the British minister the condition in which he stood with regard to the party he had left, and his unalterable determination never again to attach himself to their service. He said, that he looked upon himself to be obliged in honour and in conscience to undeceive his friends in England, as to the state of foreign affairs, as to the management of the Jacobite interest abroad, and as to the characters of persons—in every one of which points they were grossly and dangerously deluded. The treatment he had received from the Pretender would, he said, justify him to the world in doing this; and the critical situation of his party rendered it an imperative duty. He declared, that he had already determined in his heart to perform his duty to his King and his country; and even although the King should not think proper to extend to him the grace which it had been intimated that he was ready to extend, it would make no alteration in his conduct, nor would it in any respect weaken his resolve. Even then, he said, he was ready to co-operate with the earl in any measure which he thought could be useful to the service of the monarch whose allegiance he had resumed, and to assist him with all the local knowledge which his sad experience had enabled him to acquire. It was his future services, however, which he tendered to the ambassador,—not the discovery of the secret springs or the concealed agents of past transactions. The knowledge which confidence had enabled him

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to gain, honour required him to bury in oblivion. The result of future exertion might be honourably employed in the service for which that exertion had been made. The Pretender, who could find no occasion for his services, had no right to complain that others were more discerning to estimate and more assiduous to secure talents which he could not appreciate; and the Tories had no cause to accuse him, because, when he could no longer advance their designs, he attempted to expose to them their futility.

His character was a sufficient security to the earl that he would exert himself languidly in no cause which he undertook. He believed him when he told him, that in returning to his duty he proposed to serve his King and country with zeal and affection, and that to this purpose he considered himself obliged by every obligation of duty, gratitude, honour, and even interest, to suggest whatever his experience could suggest as conducive to the interests of his majesty. His influence would henceforward be directed to the establishment of public tranquillity, and the prevention of every design which might be formed by the enemies of his country or her institutions. He repeated, that if he remained in exile all his life, he would never more have to do with the Jacobite cause; but that if restored, he would give it a fatal blow. The Pretender had laid him under the necessity of making a public defence of his con-

duct; and the faithful performance of this obligation would, he flattered himself, contribute greatly to the establishment of the King's government and the union of his subjects. He would then be obliged to exhibit the Jacobite chief in his true colours; and the English Tories would, he anticipated, shrink from any connexion with a man they had worshipped at a distance, when they advanced near enough to see the dangerous defects of his character. Bolingbroke anticipated that their affection for their liberties and their religion would then prevail over their resentment or their ambition. A.D. 1716.

This conversation was one of the most important which Bolingbroke had ever held: upon it depended his reputation with his contemporaries and his fame with posterity. It is not surprising, therefore, that we find him reiterating the nature of the services which he could alone promise, and repeatedly disclaiming any intention of dealing treacherously with those who had discarded him. The Earl of Stair has borne witness to the stress which he laid upon this understanding. "'The conduct I intend to pursue,' he often repeated,* 'is that of an honourable man convinced of his error and penetrated by a desire to repair it. This conduct I shall pursue fearlessly and in the face of the world. The service I shall perform to the King and my country is real: but to betray private individuals, or to reveal the

* Earl of Stair's letter, printed in Bolingbroke's Works, vol. i.

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secrets which have been confided to me in confidence, would be but little service to his majesty, and would cover me with perpetual infamy.'"

Bolingbroke thought, not without reason, that some such a sacrifice would be required of him. The ministers feared him abroad; but they also feared him at home. Could they extend to him a pardon upon terms which would ruin his reputation, a double end would be gained. They were not ignorant of the advantage of such a scheme; but Bolingbroke valued his honour too highly to fall into the snare. At the close of his interview with the Earl of Stair, he took his leave with these words:—"My lord, if you do me the justice to believe that my professions are sincere, the more you respect my reputation, the more you advance the interests of the King. If, on the contrary, you suspect my intentions, you have reason to demand from me conditions; but I, as a man of honour, have equal reason to refuse them. The reluctance I show to promising too much, shows the dread I entertain of performing too little. This should convince you that I shall be scrupulous in fulfilling that which I do promise. At all events, time and the consistency of my conduct will convince the world of the rectitude of my intentions; and I would rather wait with patience the coming of that time, however long it may be delayed, than arrive shortly at my object by any path which deviates from the high-road of integrity and honour."

The earl forwarded the particulars of this conference to the English court, and pressed to be informed of the intention of the sovereign in his favour; adding, that the permission for his return should, if decided upon, be forwarded as soon as possible, since, as soon as it became known that he had made his peace with England, France would afford him no very comfortable residence. He bears testimony to the sincerity of Bolingbroke's character, and declares that he believes he has spoken to him the sentiments of his heart. His zeal, he says, he believes to be fervent; and that he would, if it were now in his power, eradicate every remnant of the Pretender's party. And he states it as certain, that there was then no person who could do the cause so much effectual injury as he could.

Perhaps the pledge he had given that he would never again attach himself to the Jacobite party, postponed the fulfilment of the King's intentions in his favour: no immediate benefit was now to be obtained from his return, and mere mercy could not rival the speed of interest. The Earl of Stair received no answer to his pressing despatch; and Bolingbroke remained long in uncertainty whether it was really intended to pardon him, or whether he had merely been amused with a promise which was never to be fulfilled.*

* Coxe labours to prove that Walpole was not bound by the promise, which was certainly made to Bolingbroke, that he should be fully restored. It would not be difficult to con-

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One circumstance, indeed, now took place which intimated that the King had not forgotten him, but which declared at the same time that his enemies had no intention that he should be restored to the rank and influence he once enjoyed. The rank which the act of attainder had taken from him was bestowed upon his father, who lived to a very great age. The empty title of Viscount was still retained by the son, who had earned it in its more substantial form; the father was now created Baron of Battersea and Viscount St. John.*

tend that a promise upon such a subject is binding upon the executive, whoever may become minister. But Walpole was at this time not only one of the ministry, but a very influential member of it, holding no less an office than that of chancellor of the exchequer. It was not until the following year that the schism took place which led to his temporary secession.

* The patent is dated 2nd July, in this year.

CHAPTER II.

The Letter from Avignon.—Essay upon Innate Moral Principles.—Letter to Sir William Windham.—Trial of Harley.—Reasons of his Acquittal.—Anecdotes of the Duke of Marlborough.—Bolingbroke's Literary Acquaintance.

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A.D. 1716.

NOTHING was yet done to repeal the sentence of expatriation which had passed against Bolingbroke; and now that the excitement of political enthusiasm had passed away, the lassitude of exhaustion succeeded. The Whigs still declaimed, the Tories railed against, and the Jacobites hated him. From this seething caldron of political animosity, something was constantly thrown up against his capacity or his conduct. Among these was a publication called "A Letter from Avignon," the then residence of the Chevalier. This detailed all his crimes, and argued all the points which had been alleged against him. Bolingbroke afterwards described it as a medley of false fact, false argument, false English, and false eloquence;* but when it first appeared, it afforded him some opportunity of vindicating himself, and gave him, what to an active mind is as necessary as sustenance to the body, some object to

* Letter to Sir William Windham.

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employ himself upon. He wrote several letters, in answer to this effusion, to friends in England; and these, although short and partial in their vindication, did much to stem the tide of obloquy which his enemies were pouring out against him.

The remainder of this year was spent in retirement. During his engagement with the Pretender, he could find no leisure to correspond with those friends whom he had left behind him in England: he now broke his long silence; and his letters give us an insight into his occupation, and the feelings and sentiments which accompanied him into his retirement. Pope, whose dawning genius he had fostered, was now rising towards the zenith of his reputation. Bolingbroke admired the poet, and Pope almost adored the philosopher. We prize the enjoyments we have in proportion to their rarity; and Bolingbroke doubtless now found in the correspondence of Pope more amusement than in more prosperous days he had derived from his conversation.

Swift had been swept away by the storm which had driven Bolingbroke from the helm. He had retired to his native country and his deanery with the feelings of a banished man. Querulous and discontented, as Bolingbroke tells him, his resentment rendered him unjust.* He vented his disappointment in reproaches against the whole ministry, because Oxford had been so unjust as to place his preferment in the country of his birth. The fate of

* Swift's Letters.

these two famous men being so similar, increased a sympathy which an early and intimate connexion had prepared. Bolingbroke took much pleasure in the effusions of the dean, and could view with indulgence in his friend the feelings which he would not suffer in himself.

These two men were his chief correspondents upon private matters. Prior had manifested much weakness at the time of Bolingbroke's attainder,—his conduct was at least equivocal, if not treacherous; and it is said, that it was the news that he was returning from France prepared to discover all he knew, and to save himself by the sacrifice of his friend, that prompted or at least accelerated Bolingbroke's sudden flight. Whether Prior really intended to implicate his patron, admits however of much doubt:—his evidence entirely disappointed the Whigs, who had much relied upon it; and they vented their wrath by the imprisonment of the poet for contempt and prevarication.* We are not possessed of Bolingbroke's opinion of his conduct at this juncture: it probably caused a coolness between them, and there is no evidence that they ever again corresponded: but from the manner in which he mentions Prior's death, which happened before Bolingbroke's return to England,† we may conclude that, if he really considered his conduct to have been treacherous, he felt rather pity than resentment for the traitor.

It was probably during these months that he wrote

* Parl. Hist. † Letter to Swift.

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the Reflections concerning Innate Moral Principles. This is a tract composed in French, and is said to have been circulated by Lord Bolingbroke among the members of a club to which he belonged during his residence in Paris. After his death it was published by the club, but in a somewhat mutilated state. Its authenticity was much questioned, and it still continues very doubtful. This tract merely does what Locke had done much better long before: it asserts and argues the non-existence of any innate ideas. It concludes, indeed, with an argument which is not to be found in that writer, and which would not be without weight in a discussion such as it supposes:—"I fear," says the author, "lest in establishing the system of innate ideas we should be furnishing arms to those rash persons who, under the pretence of attacking the wisdom, attack the existence of a Supreme Being. I am able, I think, to sufficiently defend this attribute of the Deity against the epicureans and other atheists, by supposing that God has given us a general principle for all our actions and a rule for their guidance, although the principle be blind and the rule imperfect. But if to these we add instincts inclining us to certain virtues, I am afraid it may be demanded of us, with great appearance of reason, why we have not instincts to incline us to all the others. Our reason is imperfect, and consequently so is our virtue: but if God has descended to particular instances, and assigned certain instincts to certain virtues, it will be difficult to say

why he has not assigned similar instincts to all the others."

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There is, however, no proof that this tract is the production of Bolingbroke. There is nothing in the sentiment to stamp it peculiarly as his; and although it is difficult to judge of the genuineness of a production when the author writes in a language in which he has been little accustomed to compose, there is an absence of many of those beauties which translation could not have destroyed, and we look in vain for that apt and brilliant illustration which so characterised his style. Mr. Mallet seems to have been of opinion that this tract was improperly attributed to Bolingbroke, since it is not inserted in the edition of his Works which he compiled,—nor, indeed, has it been admitted into any other.

Whether this slight production employed a few of his hours during the latter end of this year, is of little importance. These months were chiefly dedicated to the literary society with which the country where he dwelt then abounded, and to the revival of those old friendships which had slumbered but had never expired. In the next year, the affection for his party and a regard for his political fame prompted him to exertion.

A. D. 1717.

The outcry against him still continued. The Jacobites and Tories had tacitly agreed to make him the scape-goat of the parties; and every man who had bungled what he had undertaken to do, hastened to lay the blame of failure upon his shoulders. But those who

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hoped that he was gone for ever from the world of politics, and that their sins were departed with him, were far too sanguine in their anticipations: Bolingbroke had only delayed the blow until he could deal it with more effect. While a full defence of himself would compromise the safety of his friends, he was compelled to be silent: but an act of grace was now in preparation; and although he of course, being already condemned, would be excluded from its operation, it would set him free from any solicitude with regard to his friends, and enable him to vindicate himself from the calumnies of his enemies.

With this object he applied himself to the composition of a full defence of his conduct during the period of his engagement with the Pretender, and a summary sketch of his political career before. It was thrown into the form of a letter, and inscribed to Sir William Windham, Bolingbroke's most constant political supporter, and who was now at the head of the Tory party in England. The view with which this work was written is thus described by himself: "Some of the persons who have seen me here, and with whom I have had the pleasure to talk of you, may perhaps have told you that, far from being oppressed by that storm of misfortune in which I have been tossed of late, I bear up against it with firmness enough, and even with alacrity. It is true I do so; but it is true likewise that the last burst of the cloud had gone near to overwhelm me. From our enemies we expect evil treatment of every sort — we are pre-

pared for it, we are animated by it, and we sometimes triumph in it: but when our friends abandon us—when they wound us, and when they take to do this an occasion where we stand the most in need of their support and have the best title to it, the firmest mind finds it hard to resist.

"Nothing kept up my spirits, when I was first reduced to the very circumstances I now describe, so much as the consideration of the condition under which I knew the Tories lay, and the hopes I entertained of being able soon to open their eyes and to justify my conduct. I expected that friendship—or, if that principle failed, curiosity at least, would move the party to send over some person from whose report they might have both sides of the question laid before them. Though this expectation be founded in reason, and you want to be informed at least as much as I do to be justified, yet I have hitherto flattered myself with it in vain. To repair this misfortune, therefore, as far as lies in my power, I resolve to put into writing the sum of what I should have said in that case: these papers shall lie by me till time and accidents produce some occasion of communicating them to you. The true occasion of doing it with advantage to the party will probably be lost, but they will remain a monument of my justification to posterity. At worst, if even this fails me, I am sure of one satisfaction, in writing to a friend, and of stating before an equitable judge the account as I apprehend it to stand between the Tories and myself."

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He proceeds to give an account of his administrations, the facts of which his enemies have never denied; and history has since, with little reservation, adopted it as correct. In the course of the narrative he fully refutes the articles of accusation which were publicly promulgated against him; but he does so by a precise account of his conduct, not by noticing or avowedly refuting these particular charges. This conduct it has already been our task to relate, and we have not hesitated to censure it in many instances. Bolingbroke however wrote his account as a defence against the accusations of his own party, and to them at least it ought to have been a complete and triumphant justification. He shows them that his fidelity to them had lost him his honours, his fortune,* and his country. He proves that he has embarked at their command in a cause which he would never have embraced but for his attachment to them; that in following their fortunes he destroyed all hope of recovering what he had already lost in their service; that he continued to support them so long as they desired and much longer than they deserved his aid, and ceased to labour in their cause only when they rejected his services. The policy of the party, the distraction of their councils, their ill-contrived designs, and their yet more abor-

* Among the forfeited estates mentioned in a return to parliament, made immediately after the abortive rebellion of 1716, Lord Bolingbroke's is mentioned as amounting to 2552*l.* 15*s*

tive attempts at executing them, are strikingly detailed: the character of the Pretender is darkly but faithfully drawn, and he closes his account with some admirable reflections upon the consequences which would probably follow the success of any attempt to raise him to the throne. A summary of the production may be given in his own words:—"I have now laid before you even more than I intended to have said when I took my pen; and I am persuaded, that if these papers ever come to your hands, they will enable you to cast up the account between party and me. Till the time of the Queen's death it stands, I believe, even between us: the Tories distinguished me by their approbation and by the credit which I had amongst them; and I endeavoured to distinguish myself in their service, under the immediate weight of great discouragement, and with the no very distant prospect of great danger. Since that time the account is not so even; and I dare appeal to any impartial person whether my side in it be that of the debtor. As to the opinion of mankind in general, and the judgment which posterity will pass on these matters, I am under no great concern—suum cuique decus posteritas rependit."

The letter to Sir William Windham is one of the most finished of Bolingbroke's works. It was intended to be a justification to posterity of his political conduct, and a monument of his literary ability. How far he was justified in his anticipation of a favourable judgment with regard to the former, may

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admit of much question: the success of his latter intention can admit of none. Had this work alone survived, it would have sufficed to place its author among the finest writers of his age, and among the classic authors of his country. The forcible argument, the clear narrative, and the polished style which distinguish this production, will be admired as long as the language in which it is written shall last. It will be studied with equal pleasure as a valuable portion of history which is nowhere else to be obtained, and as a piece of elegant composition which has seldom been surpassed.

The result of its publication verified the prediction of its author, that there was nothing that his detractors so dreaded as his justification. Their confusion at their exposure was equalled only by their increased enmity against the man who had inflicted the chastisement. Little, however, had they to say in reply, and nothing that could neutralize the influence which this account exercised in disabusing the Tories of their predilections in favour of the Pretender: they were glad, therefore, to see the censorship assumed by others, and stood by while those who could take higher ground assailed him with weapons which were less easily turned against their owners. Bolingbroke was faultless as regarded his party; he was guilty as regarded his country. This those who loved neither him nor his party did not fail to point out. Immediately upon the publication of his letter, while it formed the first topic

of conversation and the most general subject of controversy, the press teemed with answers, critiques, and remarks upon "the famous Letter of Lord Bolingbroke."* These commonly admitted his pretensions to consistency: they allowed him to be a good party man, but they concurred in declaring that, however good a party man he may be, he must be a very wicked man who is guided by no principle but that of party, and is ready to sacrifice his country to the advancing his party into power, or to their revenge or ambition. His own character of the Pretender is frequently and fairly urged in aggravation of his offence; and his old enemies, in attacking so formidable an antagonist as Bolingbroke, have not scrupled to undertake the defence of their less dreaded opponents, the Duke of Ormond and the Earl of Mar. His complaint of the underhand conduct of the duke and his censure of the rashness of the earl were attributed to his jealousy of these two noblemen, and adduced as a proof of his arrogant and uncompromising temper. This, they said, was the true reason why he accused them of incompetency—this was the cause of the disgust which he so suddenly conceived for their cause.

That the treatment he received heightened his original dislike into undisguised disgust, is not only probable, but true: it would have had this effect upon men of the most moderate ambition, and must

* See particularly "Remarks on Lord Bolingbroke's famous Letter to Sir William Windham."

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have acted far more powerfully upon the ardent and sensitive mind of Bolingbroke. But that this sentiment should have betrayed him into an undue censure of the men who were the objects of his jealousy, many parts of his work disprove. In several instances he praises the duke in terms which no insidious detractor or disappointed enemy would have used; and if the Earl of Mar is named only to be censured, it is because the act which he disapproves is the only part of his conduct which comes under his consideration. His statement of the character of the Pretender, and of the nature of the cabal by which he was surrounded, can be sufficiently verified from other sources: but in this his veracity was not called in question. The Jacobites were now too reduced to put themselves forward openly as opponents to Bolingbroke upon Jacobite principles; and the Whigs, who were his chief assailants, contented themselves with accusing him of ingratitude, treachery, and inconsistency, for asserting what they readily admitted to be true.

The trial of the Earl of Oxford now took place; and its issue inspired Bolingbroke's friends with hope. The articles of impeachment against Oxford, and his reply, are added in the Appendix.* These show, perhaps, better than any other documents, the objections which were made to the treaties of Utrecht, and the facts by which those objections were attempted to be answered. The disposition of

* Appendix, No. III.

the majority in the two houses was, however, now far less virulent than it had been when Bolingbroke's attainder was voted; and it was generally anticipated that Oxford would escape. Some there were, however, who were still constant in their resentment: and these, seeing that the temper of the time was not favourable to their views of revenge, would willingly have delayed his trial, and satisfied themselves with his perpetual imprisonment. The earl, however, petitioned to be tried; and his request could not with decency be refused. Some doubts were now entertained whether anything which could be proved could be called high treason. As the case was more dubious than that of Bolingbroke had been, the charge was proportionably more minute and prolix. The trial, therefore, promised to occupy a considerable space of time; and Lord Harcourt proposed that the charge of high treason should be first decided. This nobleman, who constantly exercised his influence in behalf of his old coadjutors, represented, that if the commons could make good the two articles of high treason, the earl would forfeit both life and estate, and there would be an end of the matter: that to proceed in the method proposed by the commons would extend the trial to a prodigious length; and that it would be a great hardship to a peer, who had already undergone so long a confinement, to appear every day at their bar as a traitor, when perhaps his offence would be adjudged to be but a misdemeanour.

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The lords agreed to this motion, but the commons refused to comply with the arrangement, and a collision ensued. The lords named a day for the trial, and the commons refused to attend. Upon this the most violent opponents of the accused earl, finding themselves but a small minority, withdrew from the hall; and by those who remained he was unanimously acquitted.

It was generally believed that the whole of this dispute between the houses had been predetermined, and that it was merely a stratagem by which those who had originally been the earl's accusers, but had lately become his friends, wished to facilitate his escape without compromising their own consistency. Lewis, the earl's secretary, had, in a letter to Swift a short time before, predicted that recourse would be had to some such evasion; and he gives as his reason, that the managers were totally unprovided with evidence to support their charges. But Tindal, with more justice, remarks, that "it is plain the earl owed his safety not only to the disputes between the houses, but also to the late changes in the ministry:" and this circumstance offers an easy solution of the enigma.

These changes were occasioned by a schism which at this time occurred in the cabinet. Stanhope and Walpole had hitherto been cordial in their union: but friendship is seldom proof against ambition, and Stanhope beginning to entertain a jealousy of his coadjutor's superior influence, diligently sought a

means of weakening it. The opportunity now occurred. Walpole had dared to dispute the orders of the German junto which directed the councils of the court: he had ventured to oppose the payment of money for Hanoverian troops, and his rival saw that in doing so he had lost the support of his master. Stanhope had been joined by the Earl of Sunderland; and these two succeeded by their intrigues in convincing the King that Lord Townshend, Walpole's most strenuous supporter in the cabinet, was not only opposed to the German policy the King so much affected, but also postponed his interests for those of the Prince of Wales, of whom his father entertained a jealousy. Walpole was implicated in the accusation, and the favour of the court was transferred to the accusers. Townshend was abruptly dismissed from his office of secretary of state, but was offered the lord-lieutenancy of Ireland. His friend, as was perhaps expected, resented this as a personal affront, and grew cold in his support of the ministerial measures. Lord Townshend was soon after dismissed even from his lieutenancy; and Walpole immediately tendered his resignation. This, with some affectation of regret, was accepted; and Walpole, entering into active opposition, made advances to Oxford and his adherents, and was now anxious to avert the punishment he had before prepared.*

There is another cause assigned for the harmless termination of this threatening proceeding against

* Coxe's Life of Walpole—Townshend Papers.

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the earl. In a note to the Life of Marlborough, contained in Kippes' edition of the Biographia Britannica, the abandonment of the prosecution is attributed to the influence of that nobleman. It is said, that, as the trial approached, the duke became evidently uneasy; and a short time before it was appointed to come on, he received a message from the impeached earl, requesting his presence at the trial. On hearing the request he was greatly disturbed, and, as he paced the apartment, inquired the nature of the evidence it was intended he should give. "It is only to recognise your grace's own hand-writing," was the reply. "What!" exclaimed the duke, "has Lord Oxford any of my letters in his possession?"—"He has every letter he ever received from you." The duke's alarm was visible, as he replied with assumed calmness, that he would certainly be present.

Another story to the same purport is, that while preparations were being made for the trial, Mr. Auditor Harley waited upon the Duchess of Marlborough, and read her a letter purporting to have been written by the duke, and proving his correspondence with the Pretender. Mr. Harley threatened that this letter should be produced at his brother's trial, unless the proceedings against him were stopped. The duchess held him in conversation, and having watched her opportunity, suddenly snatched the paper, and threw it instantly into the fire. But the lady's stratagem was unsuccessful: the

paper which had been read was consumed; the original remained safe in the earl's possession."

These anecdotes have been well authenticated; and as the author who relates them states the names of the persons by whom they were preserved, there is no reason to doubt their authenticity. Mr. Coxe, however, in his Life of Marlborough, rejects them upon the ground that they are inconsistent, and that the duke voted in every division for the impeachment, and seceded from the hall with the minority when the earl was acquitted. This last objection is by no means conclusive: the stronger his motive for concealing his anxiety to stay the prosecution, the more vehement would be his personal conduct in its support. It was his influence, not his simple vote, which was of importance. It is difficult to discern the inconsistency which Mr. Coxe has found in these stories. There is no impossibility or even improbability that they both happened; and as far as the circumstances depend upon their internal likelihood, they are perfectly consistent with what we know of the characters of the parties, and of their acts. That Marlborough carried on a correspondence with the Pretender, no one with the papers of Macpherson before him can be bold enough to deny; and if he did so, why doubt, that Harley who was also in some slight degree committed in the same quarter, and who was the greatest adept in petty intrigue of his day, should have obtained evidence of this correspondence? Had he once obtained it, no one knew

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better than he did, the advantage its preservation might at some future day procure him.

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There is nothing at all inconsistent in the conduct attributed to the duchess. Her hatred of Oxford was known to be unbounded, and not without cause: nothing short of his death could have satisfied her enmity. If we form our opinion of her by the character drawn by Burnet, we should perhaps deem her incapable of gratifying her revenge by so mean an attempt. But Burnet's political predilections sadly interfered with the fidelity of his history. Pope has described her very differently under the name of Atossa;* and since, through every attempt at disguise, she recognised the picture and resented its colouring, it could not be destitute of similitude. It is probably in reference to her confused and ever-varying system of sceptical infidelity, that the poet calls her

"The wisest fool much time has ever made."

Of these sentiments we have some rather absurd specimens in her letters in the Marchmont Papers.

The fortunes of Oxford and Bolingbroke were however now widely different. It was but rarely that

* The retention of these satirical verses in the corrected copies of his Poems which he left at his death, certainly says little for the gratitude of the poet, who had received no less than 1000*l.* from the duchess. She was as munificent as her husband had been mean, and many instances of her generosity are upon record. Bolingbroke marks his sense of this instance of ingratitude in his friend, in a private letter to the Earl of Marchmont.

the friends of one were the supporters of the other. This acquittal, therefore, produced no change in the prospects of Bolingbroke, and after the publication of his splendid defence, his history becomes for some time that of a mere private man.

Books and travel were his refuge from *ennui*. By continually moving from place to place, he sought to fly from the remembrance of what he had been, and the reflection of what he then was. But wherever he came, his reputation ensured him the respect of all, and the society of those whose acquaintance he chose to cultivate. The age in which Bolingbroke lived is deservedly reckoned as that the most abounding in men of genius which modern Europe has seen. The wits of the reign of Queen Anne are too famous to need even allusion; and the reign of her contemporary, Louis XIV., is still considered as the Augustan era of French literature. Among the great men who were then to be met in the assemblies of Paris, and whose names have since become familiar to posterity, Bolingbroke occupied a distinguished place—a place from which neither the envy of contemporaries nor the more unaccountable dislike of more modern authors will be ever able to remove him. It is true, that the society of the French literary characters of this period was little likely to remove or modify the sceptical opinions which Bolingbroke had imbibed. Their ideas of religion were generally far more wild and irrational even than his. But we find that he was never moved by

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their example or their sneers to adopt their insane pyrrhonism; and we may suppose that his mind was too completely warped to be restored to its proper tone, even by associates of the most opposite sentiments to these.

Bolingbroke had beheld the decay of Dryden, and the rise of Pope. It was his fortune to view also the progress of, perhaps, a yet more extraordinary genius. Voltaire was now giving early proofs of those talents which were afterwards to astonish his age in their developement, and to disappoint it by their perversion. The English philosopher seems to have been peculiarly successful in winning the confidence and affections of the young. He was regarded by Voltaire with scarcely less esteem and admiration than by Pope. In his society these two illustrious men felt and acknowledged a superior genius; and if he had no claim to excellence in poetry, the art in which they were so pre-eminent, he surpassed them both in the philosophy which they so admired.

Bolingbroke, however, soon left the French capital, and with it lost all direct and frequent intercourse with the French literati. Correspondence with his private friends, and occasional vindicatory letters to his party, were now the only tasks he had to perform. Leisure and listlessness seem to have revived his affection for poetry. He often beguiled the tedium of travel by paraphrasing his favourite classic authors. His Post-chaise paraphrase was written at this period. It was, however, the perusal

of the answers to his Letter to Sir William Windham which afforded Bolingbroke the greatest interest; and these occasionally aroused him to reply through the channel of a friend, but never publicly or at length. He was too well satisfied with his performance to hazard his success by descending to a petty and individual contest, and contented himself with beholding at a distance the effects of the charm he had worked.

CHAPTER III.

Death of Lady Bolingbroke.—Bolingbroke's acquaintance with the Marquise de Villette.—Rivalry of M'Donald.—Bolingbroke's Second Marriage.—His Reflections upon Exile.

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DURING his residence in the French capital, Bolingbroke did not confine himself to the cultivation of literary friendships. The court of Louis had been a dangerous atmosphere for one of so inflammable a temperament, and he soon singled from the crowd one who, if not conspicuous for her beauty, was at least valuable to him for her mental accomplishments and her sterling worth.

In the history of Bolingbroke the name of his lady has but once occurred. We then mentioned their marriage, and their almost immediate separation. It is probable that the dislike was mutual: no endeavour appears to have been made to resume the connexion thus early interrupted.

Of the lady after their separation we know but little. There are several letters in her handwriting among the Harleian MSS.; but they are mere letters of compliment to the Earl of Oxford.* We have also

* She appears, however, not to have been insensible to the loneliness of her situation, for in one of these letters to the Earl of Oxford, we find her complaining that she is "a poor discarded mistress."

a letter which she wrote to Swift; and from this it appears that, after the viscount's first disgrace, she obtained sufficient from the wreck of his property to enable her to live in a style suitable to her birth and station.*

Her loyalty to the house of Hanover was superior to her affection for her husband; and she declares that she would rather wear mourning for him, than that the reports which were then rife of his having joined the Pretender should prove true. Immediately she had gained her point from the court, she retired into the country, and did not long survive. Her letter to Swift intimates that her health is bad. This letter was written on the 14th of August 1716. She died in November 1718.†

Bolingbroke had no love and little esteem for her during her life, and he did not long mourn her death. He had met with a lady who could better appreciate his virtues, and could look with more indulgence upon his vices. This was the widow of the Marquis de Villette, a lady who is described to have combined with the elegances of a highly polished mind the advantage of a lively and amiable temper: she loved the man whom her countrymen honoured and admired, and Bolingbroke found with her that domestic happiness which had been denied him in his first matrimonial connexion.

* Swift's Letters.

† This date is given by Grimoard. The circumstance must have been well known among Bolingbroke's friends in France at the time. We may therefore adopt the general's authority: it is the only date we have of this event.

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Bolingbroke's acquaintance with this lady commenced in the early part of this year. She had been ten years a widow; was possessed of some property, which she enjoyed, and was entitled to much more, which was contested. Their intimacy soon ripened into affection; but as his first wife was yet alive, the success of his suit was rather gratifying to his passion than honourable to its object. Whether any levity of conduct is attributable to the marquise, is indeed very doubtful; and the conduct of Bolingbroke was not that of a confident lover. The jealousy which actuated his public conduct appears to have tinged his private character. Among the acquaintance of the marquise was a Scotchman named M^cDonald, who held a high (nominal) office under the Pretender; this adventurer, since he was a handsome man and assiduous in his attentions, Bolingbroke chose to consider as his rival. Upon this point the violence of his passion sometimes hurried him into inconsistent acts with his dignity. While dining with the marquise at her own house, he was so enraged at some attention which M^cDonald paid their hostess, that he hurried towards him to chastise his insolence; but in his hurry and fury he threw down the table at which the company were sitting, and appeared, to the great amusement of his laughter-loving mistress, prostrate among the broken dishes. The Marquis de Matignon, who was present, succeeded in accommodating the affair; but his interference was several times afterwards required by the same parties.

If M^c^Donald was ever his rival, he certainly was not a favoured one. As soon as Bolingbroke received from England the news of his wife's death, he accompanied the marquise to her villa at Marcilly, near Nogent-upon-the-Seine. The pretence of this visit was the superintendence of some alterations which were being made in the villa. Bolingbroke had also many friends in the neighbourhood; and his visit, although somewhat prolonged, was doubtless by no means tedious.

The additions which were being made to the lady's chateau must have been considerable, since we find that Bolingbroke could not remove himself from their superintendence until two years after. The health of his hostess then required the waters of Aix-la-Chapelle, and thither she was accompanied by her noble architect.

In the month of May 1720* they were privately married at this place; and the new Lady Bolingbroke renounced the Catholic religion and professed herself a Protestant. The reason for this sudden conversion was probably purely political: the no-popery cry was still loud in England, and Bolingbroke could hardly afford to add to his other sins that (which was in their eyes so enormous) of marrying a papist.

During all this time he had never forgotten that he was an exile: his exertions to obtain a restoration had been unintermitting but fruitless. About

* Œuvres Philosophes de St. Lambert.

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a twelvemonth after his marriage, the melancholy which was inspired by his bankrupt fortunes returned upon him. He was unable to avoid—he had recourse to philosophy to enable him to sustain it. His age was fruitful in men who had drunk deeply at the fountain of scholastic lore; yet, among them all, few were perhaps more intimately acquainted with the sages of antiquity—none had the faculty of applying their sayings more aptly, or reasoning more profoundly upon their precepts. The philosophical works of the classic writers teem with sentiments upon the waywardness of fortune, the instability of human affairs, and the innate happiness of virtue. In ease and luxury, these are read for the beauty of the language in which the sentiment is conveyed, or for the reputation of the author who has bequeathed to us the lesson; but in misfortune and adversity they recur to the memory, and are viewed through a different medium and with more immediate interest. They were coldly received in the abstract before; they strike with a practical force and coincide with the experience now. It was thus with Bolingbroke: —his mind was stored with all that antiquity has left to later ages; when little remained to him from contemporaries, he recurred to this, and found in it rich and inexhaustible sources of consolation.

To a mind suffering under acute misfortune, it is no trifling relief to be able to cheat it into a forgetfulness of its woes: such a persuasion is like the

opiate to the agonized body—if it cannot remove the disease, it causes a temporary forgetfulness of pain. It is not difficult to undervalue the blessings we are hopeless of obtaining; and it is still easier to advise another to question the reality of the advantages he has lost. The whispers of philosophy, which are drowned in the tumult and contest of ambition, recur with a refreshing calmness in the hour of solitude and desertion. No interested dependants then stand by to magnify the prospects of success or to disguise the probabilities of disaster; the chart lies open; the regions of happiness and unhappiness are distinctly marked: there is no interest present to disguise, no flattery to colour or to praise.

In such a condition, Bolingbroke applied himself resolutely to examine himself and to reckon the resources he had within him—to bring the acquirements of his leisure moments to the test, and to examine whether Philosophy could really afford the consolation which she boasted was in her power. The result of such an examination were his Reflections upon Exile; a work begun, as he himself says, in jest, and finished in seriousness.* Seneca, the philosopher of the unfortunate, was his model: his method, his sentiment, his very style he imitated; and he showed in his practice that it was not in vain that he had conned the precept.

This work first discovered to the world what had hitherto been confined to the circle of his friends,

* Letter to Swift.

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—that Bolingbroke was not only the ambitious statesman, the brilliant wit, the accomplished scholar, but that he was also the calm and meditative philosopher. It is true that he had never bowed his ambition to the dictates of Philosophy, or restrained his more brilliant parts within the bounds prescribed by her moderation: but it was no slight advantage to be able to fall back from such unsubstantial and fallible supports to her firm and stable ground, and to find that, although power and fortune were gone, happiness might still remain.

Such were his reflections, and such was the object of his treatise. His propositions were many of them suggested only by his situation, and defended only by the dicta of those who had preceded him in the paths of ambition and misfortune; but there were others which formed a more stable basis for happiness, and were more adapted to lead him to that state of perfect indifference to political distinction or conventional worth, which, in his situation, was necessary to neutralize the effect of the numberless and heavy misfortunes he had endured.

This little treatise commences by advancing, and attempts to prove, what an exile yet more able than Bolingbroke would find it difficult to establish. This is no less than that the love of country is a sentiment unworthy of a wise man, who ought, he contends, to look upon himself as a citizen of the world; and when you ask him where his country lies, point, like Anaxagoras, with his finger to the heavens.

A more modern author,* by his definition of patriotism, seems to have agreed with Bolingbroke; and his practice countenanced his doctrine. But the very necessity which Bolingbroke felt to have recourse to such reflections, declares that he was not the stoic who could realize the apathy he enjoined; that he felt within him the affection which he attempted to question, and that his resolution was able only to deaden, not to eradicate it.

The multitudes who are expatriated by the pursuits of business, and those who leave their country in the search of pleasure, afford him a topic from which he attempts to persuade himself that he is grappling only with an imaginary evil. His reading supplies him with innumerable instances of colonies who left an overpeopled country without a sigh, and engrafted their torn affections upon a new soil: "And what are all these transportations of people," he exclaims, "but so many public exiles?"

From such general attempts to question the reality of the misfortune of exile, he passes to the examples which history affords of the great and good of former times, who in exile and misfortune have found a happiness in the consciousness of their own integrity, and of the injustice of the punishment they were enduring. As these venerable forms pass athwart his memory clad in all the calm dignity of contented virtue, he insensibly includes himself in their

* Gibbon. See his "Decline and Fall." — He passed the greater part of his life at Lausanne.

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ranks, presumes to claim a kindred with them, and in reflecting upon their virtues and their misfortunes persuades himself to think them similar to his own. The happiness of Marcellus at Mytelene, he persuades himself, is rivalled by that of Bolingbroke in France. "O Marcellus," he exclaims, "far more happy when Brutus approved thy exile, than when the commonwealth approved thy consulship!"* He tries to amalgamate his own sentiments with those of Metellus, who knew that if his fellow-citizens amended he should be recalled, and if they did not amend, he thought he could be no worse than at Rome. Bolingbroke, like him, went into voluntary exile; but could it be said, that wherever *he* passed, he carried the sure symptom of a sickly state, and the certain prognostic of an expiring commonwealth?

Change of place, poverty, ignominy, contempt, are the evils severally discussed by Seneca. His disciple follows him in his method, and softening some of the rigours of the stoical system, transcribes his sentiments. He grows enamoured of his subject as he proceeds, and at length ventures not only to deny the disadvantages of exile, but to enumerate its advantages.

In speaking of himself, it is to be feared that he

* The reader will recognise in this and many other passages of this little treatise, the very words of Seneca. "O fortunatiorem Marcellum eo tempore quo exsilium suum Bruto approbavit, quam quo reipublicæ consulatum." *Consol. ad Helv.* cap. 9.

has often appropriated his author's sentiments, captivated rather by its wisdom than its applicability to his own experience. "I learned the important lesson of distrusting Fortune," he says, "long ago, and never trusted her, even when she seemed at peace with me. The riches, the honours, the reputation, and all the advantages which her treacherous indulgence poured upon me, I placed so that she might snatch them away without giving me any disturbance. I kept a great interval between them and me. She took them, but she could not tear them from me. No man suffers by bad fortune but he who has been deceived by good."

This is a very close translation of the language of Seneca:* it is not so true a picture of the conduct of St. John. It might in some degree describe the philosopher who could voluntarily resign the munificence of a royal pupil; but it offers no great similarity to the ambitious statesman who was as famous for his ambition as he was notorious for his dissipation. In this description we should hardly recognise the impetuous St. John, who struggled onwards towards power through all the entangled paths of court intrigue, and brought upon himself the evil which he

* Nunquam ego fortunæ credidi etiamsi videretur pacem agere: omnia illa, quæ in me indulgentissimè conferebat, pecuniam, honores, gloriam, eo loco posui, unde posset ea sine motu meo repetere. Intervallum inter me et illa magnum habui: itaque abstulit illa, non avulsit. Neminem adversa fortuna comminuit nisi quem secunda decepit.—*Consolat. ad Helv.* cap. 5.

CHAP. III.

A.D. 1717 to 1722.

is attempting to paint as a blessing. He was rather the victim of the violence of his own jealousy and resentment than the ill-requited benefactor of an ungrateful country. His retirement was not that of Marcellus or Metellus; it was rather that of Demetrius Phalerius, whom, with singular forgetfulness of the appositeness of his own conduct, he censures for having exposed himself in Egypt to a renewal of the disgrace he had suffered at Athens. The exile of Bolingbroke must yield in dignity to that of Coriolanus, or of Themistocles, whom he blames; he wanted the fortune of either, and he never manifested the repentance which has softened their crimes.

But if we cannot admit his pretensions to an equality with the characters of antiquity whom he has adduced as examples of himself,* we can admire the resolution with which he practised what many of them were satisfied with teaching. The philosophy of Cicero was not proof against the miseries of banishment, and the epistles of Seneca belie the efficacy of the stoical precepts which he lauds in his more laboured compositions. But Bolingbroke, during his exile, was really what the others wished to

* That he considered these persons as types of himself, appears from the occasion of the treatise. It was written to reconcile *himself* to the endurance of exile. If the examples he adduced were not in a similar predicament with himself, their conduct or their contentment could have no application to him: if they were, the introduction of them as examples is apposite enough to his purpose.

be: his letters breathe a contentment and a resignation under his fate which show a strength of mind that many more celebrated for their philosophy have wanted. The hope of pardon and return, so long promised and so long delayed, might excuse much of irritation and restlessness; but the correspondence of Bolingbroke discovers none. With nothing of importance to employ his time, he turns with easy gaiety to the adornment of his house, laying out his grounds, and writing classical inscriptions for his fountains and his grottoes.

We have already remarked, that the "Reflections upon Exile" were written in close imitation of Seneca. Although Bolingbroke has also drawn largely upon his general reading, the treatise which he had particularly in view is that which the philosopher wrote from Corsica, the scene of his exile, to his mother Helvia, to assuage her grief for his misfortune and her own loss. Seneca has been censured as the first corruptor of the Latin tongue; and Bolingbroke has chosen to imitate even his faults. The quaint phrases and ill-turned periods of the philosopher are in many instances literally translated; and although the strong imagery of Bolingbroke occasionally breaks forth in all its singular and striking beauty, we should not refer to this treatise as a favourable specimen of his style.

CHAPTER IV.

Bolingbroke's Retreat at La Source.—His Life there.—His Guests.—Voltaire.—La Henriade.—Lady Bolingbroke's Journey to England.—Its cause.—Lord Bolingbroke receives his Pardon.—Returns to England.—Retires again to France.—His Illness.—Goes to Aix-la-Chapelle.

CHAP. IV.

A.D. 1720 to 1723.

By his marriage Bolingbroke obtained possession of Marcilly, the villa which he had assisted its mistress to adorn. Here, however, he never afterwards resided. At the latter end of 1719 he had purchased a small estate, called La Source, near Orleans: to this he now retired, and employed himself in improving its natural beauties with all the aid which art and taste could bring. The estate derived its name from the circumstance of the little river Loiret taking its rise in the woods adjoining the chateau. This singular river comes from the earth as wide and deep as it is during its whole course. Bolingbroke boasts that he has in his garden the finest spring in Europe, and with reason, since he often sailed in his boat over the chasm in the earth whence it springs. After meandering through the grounds, the Loiret falls into the Loire about two miles distant from its source.

The romantic situation of this spot first attracted Bolingbroke's attention, and his taste and hospitality soon acquired for it celebrity. The beauty of his grounds and the character of his guests equally attested his taste. The banks of the Loiret were visited and celebrated by all in France who were illustrious for their genius or acquirements. For some cause which has never been explained,* his marriage was not yet made public; but Lady Bolingbroke was a kind hostess, and the morals of her country were too lax to allow her to suffer much from her equivocal situation. Among other visiters to the voluptuous exile was Voltaire, who speaks in raptures of his reception, of the beauty of the place, and of the learning and politeness of its owner.† He came to consult the future projector of the "Essay on Man" upon the merits of the "Henriade," which he had just completed. We are told that the young poet received his remarks with delight, and long afterwards acknowledged the improvements his work had received from the hermit of La Source.

* It was probably because Lady Bolingbroke had property in England, which might be held forfeited by her marriage. We shall see by and by that this suspicion was not unfounded. But the privacy which was preserved in his marriage afterwards occasioned a tedious lawsuit.

† He writes to Teriot—"Il faut que je vous fasse part de l'enchantement où je suis du voyage que j'ai fait à La Source, chez Milord Bolingbroke et chez Madame de Villette. J'ai trouvé dans cet illustre Anglais toute l'érudition de son pays et toute la politesse du nôtre."

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The adornment of his chateau was now his chief occupation. In a letter to Swift, written about this time, he says:—" You must know that I am as busy about my hermitage, which is between the chateau and the *maison bourgeoise,* as if I was to pass my life in it: and if I could see you now and then, I should be willing enough to do so. I have in my wood the biggest and clearest spring in Europe, which forms, before it leaves the park, a more beautiful river than any which flows in Greek or Latin verse. I have a thousand projects about this spring, and among others one which will employ some marble. Now marble, you know, makes one think of inscriptions; and if you will correct this, which I have not yet committed to paper, it shall be graved and help to fill up the table-books of Spons and Missons yet to come:—Propter fidem adversus Reginam, et partes, intemeratè servatam, propter operam in pace generali conciliandâ strenuè saltem navatam, impotentiâ vesanæ factionis solum vertere coactus hîc ad aquæ lene caput sacræ injustè exulat, dulcè vivit, H. de B. An." &c.

To record his misfortune upon the scene of his exile seems to have been a favourite amusement of his leisure. Another inscription, which was engraven upon the portico of his chateau, gives a more pleasing picture of his contentment. It runs thus: " Si resipiscat patria, in patriam rediturus. Si non resipiscat, ubivis melius quam inter tales cives futurus hanc villam instauro et exorno: hinc, velut ex portu,

alienos casus et fortunæ ludum insolentem cernere suave est. Hîc, mortem nec appetens nec timens,* innocuis deliciis, doctâ quiete et felicis animi immotâ tranquillitate, fruiscor. Hîc mihi vivam quod super est aut exilii aut ævi."

"You see," he says, "I amuse myself *de la bagatelle* as much as you. But here lies the difference: your bagatelle leads to something better, as fiddlers flourish carelessly before they play a fine air. But mine begins, proceeds, and ends in bagatelle."

Bolingbroke was not without the means of gratifying his taste in the adornment of his chateau. It has been generally said that the property of the marchioness consisted chiefly of claims which were long under litigation. Voltaire, who should have known, speaking of Madame de Maintenon in his "Siècle de Louis XIV." adduces Lady Bolingbroke as an instance of that lady's repugnance to use her influence with the king for the advancement of her family: "La seconde femme du Marquis de Villette, depuis Madame de Bolingbroke, ne put jamais rien obtenir d'elle. Je lui ai souvent entendu dire qu'elle avait reproché à sa cousine le peu qu'elle faisait pour sa famille." †

The marchioness, however, could not have been much in want of the assistance of her relation. She

* This sentiment was a favourite one with Bolingbroke. He quotes the words of a French author to the same effect, in one of his letters to the Earl of Marchmont.

† Tom. ii. p. 106.

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A.D. 1720 to 1723.

was certainly possessed of some pensions, although probably not of any great amount. This appears from one of Bolingbroke's letters preserved among the Townshend Papers, in which he mentions the marriage of the Marquis de Villette's daughter by his first wife, and adds that her stepmother had resigned these pensions to her.

Lady Bolingbroke was also possessed of considerable property, which was invested in England. A sum of no less than 50,000*l.* we shall again have to speak of as belonging to her. This large addition to his property must have been at this time peculiarly acceptable to him. At the time of his flight he had saved only about 13,000*l.* and he did not avail himself of the opportunities he enjoyed to increase even that sum. Law's Mississippi scheme was in full favour in France while he was there; and he afterwards declared, that if he could have resolved to think two minutes a day about stocks, to flatter Law half an hour a week, or to have any obligation to people he neither loved nor valued, it was certain he might have gained immensely. But he did not care to follow the bright examples of suddenly-made fortunes which France then furnished. He says, he negligently turned the little money he had of his own without being let into any secret; and if he secured enough to content him, it was because he was soon contented.

In 1722, we find him complaining that he is called to Paris by a lawsuit, and lamenting that he has

been detained ten days in that city. He says, that he should have left his business unfinished, had it been of less importance than it was. It comprised four-fifths of the sum of four hundred thousand livres, which, he says, was the poor wreck of all his fortune.*

He remained in his retreat at La Source until the King thought fit to fulfil his promise, and restore him to his country. His domestic happiness and his literary application were during this time broken only by fits of illness, to which he had always been peculiarly liable. Perhaps the licentiousness of his former life had entailed upon him a liability to disease which he would not otherwise have experienced; perhaps his constitution was naturally weak: but, whatever the cause, it is certain that his retirement was harassed by frequently recurring attacks, and that the gout was at last added to his other ailments.

A.D. 1723.

In the month of May 1723, nearly seven years after a restoration had been promised him, Bolingbroke obtained a bare pardon, removing indeed the sentence of death which hung over him, but leaving him still attainted in blood, incapable of inheriting the estates of his ancestors, stripped of his titles and honours, and incapable of holding any office in a country whose councils he had once directed.

For this niggardly meed of favour he was indebted to the tact and exertions of his lady. The Marquise de Villette was possessed of a large sum,

* Letter to Swift.—His marriage was not yet acknowledged.

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about 50,000*l.* in the English funds; and she regularly received the interest through an agent in this country. In 1722 her marriage was publicly known; and upon hearing of it, the agent refused to make any farther payments, declaring, that as she was no longer a widow, and as the money therefore belonged to Lord Bolingbroke, he should be liable to be called upon to pay it over again to the crown, to which his attainder had transferred all Lord Bolingbroke's property.

This step, though perfectly justifiable upon the part of the agent, excited in Bolingbroke great indignation. Lady Bolingbroke resumed her widow's title, and set out for England as the Marquise de Villette. She was furnished with letters from the French court to the British ministry, and with some difficulty succeeded in obtaining an indemnity for the agent, and regaining possession of her property. In this affair she was principally indebted for her success to Lord Harcourt, who still preserved his friendship for his old coadjutor, and warmly advocated the cause of his lady. As the Marquise de Villette she was introduced to the ministers, and soon became acquainted with the bearings of the party compass. When her immediate end was gained, she began to extend her views. The advantage she had gained she considered only as a stimulus to future exertion, and embarked with ardour in the great work of her husband's restoration.

In this attempt she was equally befriended by

Lord Harcourt. Through him she gained access to the Duchess of Kendal, who directed at her will the conduct of the King. This lady had been married to the Elector of Hanover by the left hand; a species of mock ceremony not unfrequent among the German sovereigns, when the object is to preserve the lady's reputation without tarnishing the cherished honours of the family shield. Like all the German followers of the King, the Duchess of Kendal was corrupt and rapacious; at least Walpole, who frequently found his wishes thwarted by her influence, has so represented her. He once declared that she would without scruple set the King's honour and his kingdom up to auction, and sell them at a shilling advance to the highest bidder.* Walpole himself might have remembered, that when he counselled the King to break his promise to Bolingbroke, solemnly given through the Earl of Winchelsea,† he showed as little regard for his master's honour as the lady whom he censured. Whether the motive be avarice or revenge, the conduct must be held equally reprehensible.

Lady Bolingbroke paid her court with assiduity to the duchess, and succeeded by a bribe of 11,000*l.*‡ in completely attaching her to her husband's interest. The secret pleadings of his mistress, and the more open advocacy of Lord Harcourt, gradually inclined the King to mercy, and he became at last favourable

* Coxe's Walpole. † Letter in the Craftsman.

‡ Etough Papers.

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to the restoration for which the exile panted. This inclination was not, however, suffered to act unchecked: Walpole vehemently opposed his pardon at all; he spoke against him at the council-board;* and when he found he could not succeed in preventing his return, he found means to strip the boon which was to be extended to him of nearly all its value, and left it only a bare permission to live unmolested in England.

As soon as the pardon had passed the great seal, Bolingbroke set out from his hermitage, and joined his lady in London for the purpose of pleading it. It is said, that he arrived at Calais at the same time that Bishop Atterbury arrived at the same town from Dover. The bishop, who had formerly taken an active part in the conduct of the Examiner, and had afterwards followed his party in their desertion to the Jacobite faction, had been found too skilful in intrigue to be allowed to carry on his practices with impunity. But although his guilt was sufficiently notorious, no legal evidence could be obtained against him, and the ministers were reduced to have recourse to an expedient which nothing but the exigency of the circumstances could justify. The bishop was banished his country by a special act of parliament. When he heard at Calais that Bolingbroke had been pardoned, and was then on his return, he exclaimed, "Ah! then, I perceive, we are exchanged."

* Tindal.

This accidental meeting gave rise to a suspicion that Bolingbroke was yet not altogether free from some connexion with the Pretender; and he found it necessary to deny the inference. He writes to the ministry upon this occasion, that there is no man living whom he has less reason to trust, or more to complain of, than the late Bishop of Rochester."*

Pope thought with Atterbury, that the bishop and Bolingbroke were exchanged:—"It is sure my ill fate," he writes, "that all those whom I most loved, and with whom I most lived, must be banished. After Bolingbroke and Swift left England, my constant host was the Bishop of Rochester. Sure this is a nation which is cursedly afraid of being overrun with too much politeness; and we cannot regain one great genius but at the expense of another."†

Bolingbroke arrived in London at the latter end of June, but remained only to effect the object of his journey. This accomplished, finding the time unfavourable to any farther attempt, he returned to France, where, soon after his arrival, he was attacked by a fever. While slowly recovering from this malady, he removed to Aix-la-Chapelle for the benefit of the waters. His fever was succeeded by a

* Townshend Papers. The French continuation of Rapin is therefore incorrect in saying that the bishop immediately betook himself to Lord Bolingbroke, at his chateau near Orleans.

† Pope's Letters, Warton's edit. vol. ix.

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fit of the gout; and we find him writing to Swift in December of this year, while confined to his bed by this last complaint.

Aix-la-Chapelle does not appear to have been at this time famous for the erudition of its inhabitants. If the description which Bolingbroke gives of the company in which he found himself be not a caricature, he had certainly little to congratulate himself upon in the intellectual powers of his associates. The fair inmates of Byron's Oda could scarcely have exceeded in simplicity the people whom Bolingbroke describes as sitting round his bed and congratulating him upon the good effect of the waters, which had determined his former illness into a distemper so desirable as the gout.*

* In a letter to Swift, dated December 25, 1723, he says—"Never letter came more opportunely than your last. The gout had made me a second visit, and several persons were congratulating me upon the good effects of the waters, which had determined my former illness to a distemper so desirable. My toe pained me; these compliments tired me; and I would have taken my fever again to give the gout to all the company. At that instant your letter was delivered to me. It cleared my brow, diverted my ill-humour, and at least made me forget my pain. I told the persons who were sitting round my bed, and who testified some surprise at so sudden a change, that this powerful epistle came from Ireland, at which, to say truth, I did not observe that their surprise diminished. But the dullest fellow among them, who was a priest, (for that happens to be the case sometimes in this country,) told the others, that Ireland had been called the *insula sanctorum;* that by the acquaintance he had at the Irish College, he made no doubt of her deserving still the same appellation; and that they might be sure

But Bolingbroke had a companion whose conversation could console him for the tediousness of his casual acquaintance. It is probably in answer to some lofty compliment that Swift had paid his lady that he replies, "I read in English (for she understands it) to a certain lady the passage in your letter which relates to her. The Latin I most generously concealed. She desires you to receive the compliments of one, who is so far from being equal to fifty others of her sex, that she never found herself equal to any one of them. She says that she has neither youth nor beauty; but that she hopes on the long and intimate acquaintance she has had with you, when you meet, if that ever happens, to cast such a mist before your eyes that you shall not perceive she wants either of them."

the three pages were filled with *matière d'édification et matière de consolation*, which he hoped I would be so good as to communicate to them. A learned Rosicrucian of my acquaintance, who is a fool of as much knowledge and as much wit as ever I knew in my life, smiled at the doctor's simplicity; observed, that the effect was too sudden for a cause so heavy in its operations; said a great many extravagant things about natural and theurgic magic; and informed us, that though the sages who dealt in occult sciences have been laughed out of some countries and driven out of others, yet there are, to his knowledge, many of them in Ireland. I stopped these guessers, and others that were perhaps ready, by assuring them, that my correspondent was neither a saint nor a conjuror. They asked me, what he was, then? I answered, that they should know it from yourself; and opening your letter, I read to them, in French, the character which you draw of yourself. Particular parts

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But the occurrence of illness will not account for Bolingbroke's remaining so long out of the kingdom after his return had been rendered safe. The loss of his rank, and more especially of his fortune, will furnish a more substantial cause. We have seen that his income was now small, and utterly inadequate to support the station which he had been used to occupy. In France he could still command the few luxuries he required, and there he had no occasion for ostentation or expense. His situation as a banished man accounted for his frugality, and his character as a philosopher secured him respect. The case would be entirely altered upon his return to England. There he would meet with those who through life had been his enemies; he would meet also with those with whom he had associated as their equal in rank and fortune; and he would meet also with many whom he had known and treated as his inferiors in both. Philosophy had taught him to endure misfortune,—she could not teach him to en-

of it were approved or condemned by every one, as every one's habits induced him to judge; but they all agreed that my correspondent stood in need of more sleep, more victuals, less ale, and better company. I defended you the best I could; and bad as the cause was, I found means to have the last word—which in disputes, you know, is the capital point," &c. Swift seems to have doubted the fidelity of this picture. We find Bolingbroke declaring, in his next letter—"I am ashamed to own to you how near the truth I kept in the description of what passed by my bedside in the reading of your letter. The scene was really such as I painted it."

dure pity or contempt. His proud spirit could never stoop to gratify the triumph of his enemies: he could never return among his friends not only shorn of his dignity, but also ruined in his fortunes, appearing as an inferior where he had once mingled as an equal, or as scarcely an equal where he had shone as a superior. He thought with justice that a residence abroad was far preferable to such a return; and it is to this feeling we must attribute that he returned so immediately to France, and remained there for two years after his compulsory exile was at an end.

CHAPTER V.

Applications of Bolingbroke for the Reversal of his Attainder.—Their issue.—Lady Bolingbroke's Second Journey to England.—Bolingbroke joins her.—Bill for his Restoration in Blood—Passed.—Bolingbroke's Discontent.—Purchases Dawley.—State of Parties.—Bolingbroke's Political Writings.—The Occasional Writer.—Walpole's Answer.—Bolingbroke's Interview with the King.

CHAP. V.

A.D. 1723 to 1735.

DURING all this time Bolingbroke was not unmindful of the great object of his conduct—the restoration of his title and estates. He harassed the ministers with frequent applications for the fulfilment of the promise which the King had certainly made. The validity of his claim was not denied, but its performance was constantly evaded; and Bolingbroke, who had no means of hastening their decisions, was compelled to admit their excuses. His letters at this time teem with indignant complaints of the manner in which he had been deceived, and the bad faith of the King and his ministers in breaking their word. The emissaries of the government seem to have entertained very nearly the same opinion as to the justice of the case: they report that Bolingbroke had well performed his promises,—that he had not only separated himself entirely from the Pretender's interest, but that he had lately rejected without

hesitation very flattering overtures which had been made from that quarter.*

But the dominant party were now no longer equally divided among themselves. The schism which had proved of such opportune assistance to Oxford, had terminated in the ultimate triumph of those who had been temporarily discomfited. The government was now firmly established in hands of all others the most hostile to Bolingbroke. The Walpole administration, which endured so long and degenerated so remarkably, was now formed; and the only hope of the attainted peer was fixed upon the idea of gaining the personal favour of the King. All his attempts were however fruitless; the interest of Walpole was all-powerful, and his hatred was inveterate. In reply to some mention made of him in the house of commons, he vented a most furious tirade against his fallen enemy, and exclaimed as he sat down, "May his attainder never be reversed, and may his crimes never be forgotten!"

Lady Bolingbroke had already approved her talents as a diplomatist. He resolved to try her assistance again. In May 1724 she arrived in England, while Bolingbroke returned to La Source. Lord Harcourt and the Duchess of Kendal were again her friends. The expostulations of his minister, and the entreaties of the duchess, again produced their effect upon the King, and he appeared to favour their petition. He knew Bolingbroke's

* Walpole Papers.

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power either for good or evil; and he had not, like his minister, any private revenge to gratify, or any recollection of old wrongs to keep alive his hatred. Walpole however still remembered his expulsion from the house which he now governed at his will. He also dreaded the return of his old enemy to the sphere of politics: if he joined the opposition, he must be a most dangerous opponent; if he found favour with the court, he would become a no less dangerous rival. His interest and his resentment therefore plainly coincided, and he acted from policy as well as passion when he opposed his restoration.

At length, when his friends found that the opposition of the minister was too powerful for them, they pressed Bolingbroke to return to England, hoping that his presence might assist their exertions. He followed their advice, and joined his lady in London in October.* Bolingbroke fully expected, that after the several autumnal promises and vernal excuses with which he had been already deluded, his case would at length be settled, and his attainder be unconditionally repealed.

His applications to the ministry for this purpose were frequent and energetic.† He implored them to relieve him from the suspense in which he then

* The French were very sorry to lose him. Voltaire writes to the Président de Bernières: "Une chose qui m'intéresse davantage, c'est le rappel de Milord Bolingbroke en Angleterre. Il sera aujourd'hui à Paris, et j'aurai la douleur de lui dire adieu, peut-être pour toujours."

† These letters are preserved among the Walpole Papers.

was, and to tell him at once what his majesty's intentions towards him were; and he employed his friend the Abbé Alari, who as a literary man was equally esteemed by both parties, to intercede for him with Walpole.

The Abbé and the other friends of Bolingbroke urgently seconded these endeavours to obtain a complete restoration to his honours; but this it was very far from the intention of those who ruled the counsels of the King to allow. At length however something definite was resolved upon. On the 20th of April 1725, Lord Finch presented a petition to the house of commons from the attainted peer. This petition stated, that the petitioner was truly concerned for his offence in not having rendered himself pursuant to the directions of an act of the first year of his majesty's reign, whereby he was attainted of high treason, and was deprived of all his real and personal estate, and by reason thereof had suffered very great losses. That upon his marriage in 1700, Sir Walter St. John, baronet, and the Lord Viscount St. John, his grandfather and father, together with himself, made a settlement of the family estates in the counties of Wilts, Surrey, and Middlesex; all which estates, except a small portion, were then in the possession of Lord Viscount St. John; and that the petitioner could not become entitled to them for life until after his father's decease. The petition declared, that he had in most humble and dutiful manner made his submission to his majesty, and

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given his majesty the strongest assurances of his inviolable fidelity, and of his zeal for his service, and for the support of the present happy establishment; which his majesty had been most graciously pleased to accept. It concluded by praying that leave might be given to bring in a bill for enabling the petitioner and the heirs male of his body, notwithstanding his attainder, to take the settled estate; and for enabling him to hold all the personal property which he then possessed or might acquire, and to invest it in the purchase of any real or personal estate within the kingdom.

It is not to be supposed that Walpole, who had opposed his pardon, was now inclined to restore him to his fortune. Upon that occasion he had declared in the council-chamber, that he was against loosening the hands of one who, he foresaw, from his former conduct and ambition, and the natural restlessness of his temper, would go any lengths to poison the minds of the subjects, in order to disturb the national tranquillity, that he himself might the easier arrive at power.* But now, as then, the interest of the Duchess of Kendal and Lord Harcourt prevailed. Walpole was obliged to give way, and to content himself with a direct assurance that his enemy should never be again admitted into the house of lords or the counsels of the King.

The ministry having come to this decision, Walpole of course, as leader of the house of commons,

* Tindal.

stated their intentions with regard to the petition. He said that he had received his majesty's commands to acquaint the house, that the petitioner had seven years since made his humble application and submission to his majesty, with assurances of duty, allegiance, and fidelity; which his majesty so far accepted as to give him encouragement to hope for some future marks of his majesty's grace and goodness. His majesty, he said, was satisfied that the petitioner's behaviour had been such as to give assurance that he was a fit object for mercy; and it was with his majesty's consent that the petition was presented to the house.* This statement he repeated in seconding the motion for allowing a bill to be brought in; and added, that for himself he was

* Upon this message Bolingbroke afterwards remarked, in his final answer to the Remarks on the Craftsman's Vindication, published in 1732, "Who drew this ministerial message I know not, nor how far the style of it may be necessary according to the forms usual on such occasions; but the remarker might have known, if he had consulted even his patrons, that his majesty's mercy had been extended to this gentleman. two years before the seven then mentioned; and that his mercy did not consist in encouragement to hope for some future mark of his majesty's favour and goodness, but in a gracious and absolute promise of his favour in the full extent which the circumstance of that gentleman required. I may be the more bold in affirming this, because the noble lord (the Earl of Winchelsea) who delivered the message I quote is still alive, as some other persons are to whom his late majesty was pleased to own that this message had been delivered by his order, and to express his gracious intentions conformably to it."—*Bolingbroke's Works*, vol. i. p. 552.

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fully satisfied that the petitioner had sufficiently atoned for his past offences, and therefore deserved the favour of the house so far as to enable him to enjoy the family inheritance that was settled upon him, which he could not do by virtue of the pardon without an act of parliament.

This motion, far short as it was of Bolingbroke's expectations, was not carried without violent opposition. The circumstances which had formed the ground of his impeachment were revived against him; the fury which had before raged seemed only to have slumbered while food for its support was wanting, and to have been awakened immediately any likelihood occurred that the hated object could be further injured. The proposal of the cabinet was of course acceded to; but the fact that many official servants of the crown offered it the most strenuous opposition, declared what their opinion was of the real sentiments of the minister.

Upon the house going into committee upon the bill, it was moved that the committee be instructed to insert a clause to disable the late Viscount Bolingbroke to be a member of either house of parliament, or to have or enjoy any office or place of profit or trust under his majesty. It has been insisted upon as a singular piece of generosity in Walpole that he opposed this clause, but with what reason his conduct throughout the whole transaction sufficiently shows. Walpole was in this instance, as in the support of the petition, acting only as the

mouthpiece of the ministry, and advocating in the house of commons what he had opposed in the council-chamber. The assumption of merit with Bolingbroke for opposition to this clause becomes ludicrous, when it is remembered that its proposal was a manifest absurdity, and that the end it had in view was already accomplished. The promise which Walpole had privately obtained was as effectual as any incompetency an act of parliament could create: the revolution of parties which could overcome the one could repeal the other.

The bill passed the lords by large majorities, but after stormy debates and with several protests. The royal assent was given the 31st of May, and Bolingbroke became again entitled to his patrimony.*

With this measure of mercy Bolingbroke was bitterly disappointed. He vents his chagrin in a letter to his most constant correspondent:—"Here I am, then," he says, "two thirds restored, my person safe, (unless I meet hereafter with harder treatment than even that of Sir Walter Raleigh,) and my estate, with all the other property I have acquired or may acquire, secured to me. But the attainder is kept carefully and prudently in force, lest so corrupt a member should come again into the house of lords, and his bad leaven should sour that sweet, untainted mass." His spleen led him to indulge the romantic notion of buying the sovereignty of the Bermudas, and transplanting himself into the middle of the

* Parl. Hist.

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Atlantic Ocean. The disgust which could suggest such an idea must have been great, although we suppose it to be, as it probably was, mentioned but in jest.*

But since the door of the house of lords was thus hopelessly closed against him, nothing remained but to bear with calmness what he could not avoid. He determined to retire once again to the pleasures of a rustic life. With this view he purchased a villa, which in his hands soon became celebrated as the resort of all the rank and genius of the age. The correspondence of Pope, Gay, Swift, and Jervas abounds with allusions to Dawley, and in friendly solicitude for its owner. Dawley had been a seat of Lord Tankerville's; it was situated near Uxbridge, and in the hands of Bolingbroke it soon became worthy of the taste of its owner. He now affected a strong disgust for politics and party; and this affectation was apparent even in the adornment of his villa. He had the hall painted with rakes, spades, prongs, and other instruments of husbandry, at the expense of 200*l.*, merely, as Pope says, to countenance his calling it a farm.† They were executed in black crayons, in imitation of the figures which are seen scratched with charcoal upon the kitchen walls of ordinary farmhouses. Over the door the ambition of the owner was more formally disclaimed, and the inscription, "Satis beatus ruris honoribus," betrays at once his inquietude and his wish to conceal it.

* Swift's Letters. † Pope's Letters,—Works, vol. ix.

"I am in my farm," he tells Swift, "and here I shoot strong and tenacious roots: I have caught hold of the earth, (to use a gardener's phrase,) and neither my enemies nor my friends will find it an easy matter to transplant me again. Adieu!"*—But, after all, we may apply to Bolingbroke what he said of Seneca, "All his big words were the language of a slighted lover, who desired nothing so much as a reconciliation," (and perhaps we may alter the conclusion of the sentiment,) "and regretted nothing so much as the rupture."

This delightful retreat was to Bolingbroke's ardent imagination but "a hermitage, where no man came but for the sake of the hermit;" for here he found that the insects which used to hum and buzz about him in the sunshine, fled to men of more prosperous fortune and forsook him when in the shade.

We have a very graphic sketch of his mode of life at this time from the pen of Pope, who was now his constant companion. "I now," says the poet,† "hold the pen for my Lord Bolingbroke, who is reading your letter" (Swift's) "between two haycocks; but his attention is somewhat diverted by casting his eyes on the clouds, not in admiration of what you say, but for fear of a shower. He is pleased with your placing him in the triumvirate, between yourself and me; though he says that he doubts he shall fare like Lepidus, while one of us runs away with all the power like Augustus, and

* Pope's Works by Warton, vol. ix. p. 102. † Ibid.

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another with all the pleasures like Anthony. It is upon a foresight of this that he has fitted up his farm. Now his lordship is run after his cart, I have a moment left to myself to tell you, that I overheard him yesterday agree with a painter for 200*l.* to paint his country hall with trophies of rakes, spades, prongs, &c., and other ornaments, merely to countenance his calling this place a farm."

The sports of the field (we read that he was at this time severely hurt by a fall from his horse while hunting); the tender support of his wife, who was now declining in health, and of whom he tells Swift that he admires her more every hour of his life; the friendship of all the men of his age whom posterity has thought worthy of remembrance; the cultivation of philosophy, and the claims of society;—all could not keep his mind from wandering towards the forbidden world of politics.

During the retirement of Bolingbroke a considerable alteration had taken place in the relations of the parties by whom the kingdom was governed. Mr. William Pulteney, one of the most talented—certainly the most accomplished speaker among the Whigs, now began to dispute the ascendency with Walpole, as Bolingbroke had formerly done with Oxford. Pulteney had been a strenuous opponent of the Harley administration, and had come into power with Walpole; but when he thought that minister was sacrificing the interests of Great Bri-

tain to the prosperity of Hanover, and looking upon his master rather as a German prince than a British sovereign—or, as was with less charity asserted, after a personal quarrel with his political coadjutor, Pulteney joined the opposition. The extent of his information, the copiousness of his eloquence, and the bitterness of his sarcasm, gave energy and success to an opposition which had before been but feeble and unsupported. Walpole held him in especial abhorrence: he declared that he dreaded that man's tongue more than another's sword; and so successful was he in his opposition to the German predilections of George the Second, that that person is said, after hearing an account of a debate in which Pulteney had taken the principal part, to have called for his council-book, and struck his name out of the list of privy counsellors with his own hand.

Bolingbroke shared all Pulteney's animosity against Walpole, and felt, with the most feverish impatience, that he was precluded only by his attainder from taking the chief part in the brilliant contest which was raging before his eyes. But although he could not mingle there with the rank and command which were his due, he was too much interested in the event to remain altogether inactive. His place was vacant in the house of lords, but he could make his voice heard throughout the nation. His power as a peer was gone, but his influence as a writer remained; and he determined from the rustic retreats

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of Dawley to direct shocks which, from their strength and frequency, should shake his enemy from his insecure elevation.

Among other light political performances which employed his pen, was a series of letters which he published under the title of the Occasional Writer. The first of these was written in January 1727, and is one of the finest specimens of caustic irony in our language. The author inscribes his letter to the minister, and dates it from his garret. He describes himself as one whose ambition it has been, ever since he came into the world, to distinguish himself as a writer; in which, he says, he had not only the view of raising his reputation, but also of establishing his fortune. From the moment he resolved to become a state writer, he declares, he mentally devoted himself to the minister's service; and he begs him to consider that he then makes a dedication of himself to his service in the most public and solemn manner. He tells him to employ him as he pleases; his pen is at his disposition—his conscience in his keeping. Like a lawyer, he is ready to support the cause in which he hopes he shall soon be retained, with ardour, and, if occasion be, with subtilty and acrimony. Like a Swiss, he will behave himself with equal boldness and fidelity. His pen, he says, is his fortune; and he thinks it as honourable to offer it as to offer his sword, without inquiring, in a general battle or in private skirmishes, at what relation or friend he strikes. He cancels at once all former ob-

ligations of friendship, and promises most implicitly to follow his master's instructions in panegyric on himself and friends, in satire on their adversaries, in writing for or against any subject—nay, in writing for or against the same subject, just as his master's interest or his passions may render expedient.

Having thus assumed the character of a hireling scribe, he proceeds to magnify the value of his future services, and to dilate upon the necessities of his expected patron. In doing this, he brings forward all the arguments which the opposition were continually urging against the policy pursued by ministers. He places every objection in the strongest light, depreciates the defensive arguments, and shows how difficult, and therefore how meritorious it must be, to engage against such formidable antagonists.

The keenness of the satire conveyed in this letter produced a reply purporting to proceed from the minister himself. The authenticity of this paper Bolingbroke doubted at first, but afterwards professed himself convinced that he was wrong, and that the letter was genuine. If it was so, he took an advantage of it which was rather ingenious than candid. From his account of it, he would persuade his readers that it was written in the lowest strain of scurrility and personal invective. In his third letter he has given an abstract, in which he himself is declared the author by no very flattering marks of identity. "A man who is without all principles of honesty; who in no one thing can be relied upon; a

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betrayer of his friend, a traitor to his prince, an enemy to his country; a perjured, ungrateful, unfaithful rascal,—must be you; one who is a composition of all these, can be only you." *

This abstract, like all other satirical or controversial writings, when stripped of the ornament by which their rudeness is disguised, was virulent and personally offensive; so that Bolingbroke in replying to it could assume an advantage which his opponent had not fairly given him, and treat that as mere abuse which had come from the pen of Walpole a piece of polished satire. Bolingbroke, after printing this abstract of the minister's reply, rejoins by declaring that, in the conduct of his part of the discussion, his pen shall constantly preserve decency and good manners, and shall never be stained with any abuse of particular persons:—a resolution which would certainly contrast favourably with the language of his opponent, had he written what Bolingbroke ascribed to him, or even had Bolingbroke only ascribed to him what he had really written; but his affected moderation loses its merit when the art which contrived the contrast is known and exposed.

This attack was not suffered to go unpunished. It was answered by Walpole in a pamphlet,† equal to that of Bolingbroke in the keenness of its irony, and the beauty of its style.‡ The minister has there

* Bolingbroke's Works.

† Political Tracts, for 1727.

‡ The style of this pamphlet is upon the whole fine, but there is a mannerism about it which serves to identify it as Walpole's. Walpole's fine taste for painting is well known. Bo-

given an abstract of the abstract, and owns he drew the portrait. It runs thus: "Your name had been superfluous—the marks are sufficient: you closed with the interests of foreign powers. The emperor, since ungrateful, is entitled to your good opinion; and France, since it has obliged you, is the natural object of your dislike. None envied you in prosperity, or pitied you in disgrace. I cannot be mortified at his resentments, all whose obligations are paid in that coin; but had much rather have such a foe than such a friend."

Bolingbroke had designated his promise to avoid personality as a solemn engagement. Walpole manifests that he has no intention of imitating his moderation by asserting that the solemn engagement is worthless. The answer concludes with a recommendation which, in a different spirit, Bolingbroke's best friends might have supported:—"Your retirement is pleasant, enjoy it.—The public is ungrateful, patronise it no more. Build, plant, read, drink, sport, pun, or make solemn engagements—do anything but protect us, and we are safe."

The public was not so ungrateful as the minister would persuade himself, nor Walpole so popular as he would wish his readers to believe. The letters of the Occasional Writer were received with avidity and read with delight. A contest could not but be

lingbroke has made it a subject of ridicule. This fondness seems to have possessed his mind while he was engaged in combating his prostrate but struggling foe. All his images are drawn from the peculiar styles of the foreign masters.

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interesting, where the gladiators were such proficients in their art. They were neither of them very great favourites with the people, but the public sympathy was naturally attracted rather to him who had been the more unfortunate.

Bolingbroke was indeed at this time a formidable enemy, one against whom Walpole might well vent his most bitter invectives. His interest with the Duchess of Kendal he still kept up, and through her he contrived to convey accounts of the unpopularity of his minister to the King. His elegant address and persuasive manner had also conciliated many who were formerly opposed to him, and were now not less disgusted with Walpole; and his commanding talents had attracted to him a small circle of politicians who still thought it prudent to attach themselves to his fortunes. His influence was daily increasing, and he was now openly spoken of as the future minister. Walpole was alarmed, and determined upon a trial of strength. It was not long before the opportunity he sought presented itself. Bolingbroke, thinking that the train was sufficiently laid, applied the match. He wrote a memorial full of invectives against Walpole, magnifying his errors as a minister, and the misfortunes they had entailed upon the country; and declaring that nothing could satisfy the people or secure the throne but his dismissal. This memorial the Duchess of Kendal gave the King, who read it and handed it to his minister. Walpole saw these were dangerous things to find

their way into the royal closet. The memorial concluded by requesting an interview; and now, while the King was so well disposed, Walpole resolved that it should be granted. He had discovered the channel by which the paper had passed into the King's hands, and he required of the duchess as the only reparation he wished her to make for her duplicity—for she was sold to both parties—that she should persevere in her endeavours to obtain for her client the interview he desired. After some difficulty the King consented; and Bolingbroke, ignorant of how completely he had been outwitted, was introduced. The interview lasted some time, and Walpole remained all the while outside the door of the apartment. It was little to be expected that Bolingbroke would obtain a very favourable audience when declaiming against a foreign policy which originated with his auditor, and against a system of corruption by which alone that policy could be supported. To the eager inquiries of his minister as to the topics of Bolingbroke's address, the King only answered, "Bagatelles, bagatelles!" nor would he give any further account of what he considered only as a good joke.*

* Horace Walpole writes thus to Sir Horace Mann: "You say, you have made my Lord Cork give up my Lord Bolingbroke: it is comical to see how he is given up here, since the best of his writings, his Metaphysical Divinity, have been published. While he betrayed and abused every man who trusted him, or who had forgiven him, or to whom he was obliged, he was a hero, a patriot, and a philosopher; and

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Bolingbroke was this time foiled with his own weapons: his party now projected a more open engine of annoyance to the ministry. This was the political paper which became so famous under the title of the Craftsman, and which, being the organ of the party, consisted of contributions from all the first men of the opposition. In this medley the pen of Bolingbroke was as easily recognized as that of St. John had been in the Examiner; and his papers

the greatest genius of the age: the moment his Craftsmen against Moses and St. Paul, &c. were published, we have discovered that he was the worst man and the worst writer in the world. The grand jury have presented his works, and as long as there are any parsons he will be ranked with Tindal and Toland.—Nay, I don't know whether my father won't become a rubric martyr for having been persecuted by him. Mr. Fraigneau's story of the late King's design of removing my father and employing Bolingbroke, is not new to me; but I can give you two reasons, and one very strong indeed, that convince me of its having no foundation, though it is much believed here. During the last year of the late King's life, he took extremely to Newpark, and loved to shoot there, and dined with my father and a private party—and a good deal of punch. The Duchess of Kendal, who hated Sir Robert, and favoured Bolingbroke, and was jealous for herself, grew uneasy at these parties, and used to put one or two of the Germans upon the King to prevent his drinking (very odd preventives!)—however, they obeyed orders so well, that one day the King flew into a great passion, and reprimanded them in his own language with extreme warmth; and when he went to Hanover, ordered my father to have the new lodge in the Park finished against his return; which did not look much like an intention of breaking with the Ranger of the Park. But what I am now going to tell you is conclusive. The duchess ob-

appeared only to call forth a peculiar bitterness and personal invective from the organs of the ministry. Among his most admired contributions to this periodical are his Visions of Camilick, in which a pointed satire is happily concealed in the garb of an Eastern fable. Many others, which were more argumentative but less striking, were the object of much conversation at the time they appeared, but were forgotten with the occasion which produced them, and are little read or known at the present day.

tained an interview for Bolingbroke in the King's closet, which not succeeding, as Lord Bolingbroke foresaw it might not at once, he left a memorial with the King, who the very next time he saw Sir Robert gave it to him." *Letters of Horace Walpole to Sir Horace Mann*, edited by Lord Dover.

As a commentary upon the former part of this extract, I cannot do better than insert the following passage from the noble editor's preface:—

"In the sketches of character which Walpole has left us, we must always remember that, though a very quick and accurate observer, he was a man of many prejudices; and that, above all, his hostility was unvarying and unbounded with regard to any of his contemporaries who had been adverse to the person or administration of Sir Robert Walpole. This, though an amiable feeling, occasionally carries him too far in his invectives, and renders him unjust in his judgments."

CHAPTER VI.

Letters upon the History of England.—Prosecutions threatened.—Bolingbroke's Reply to the Threat.—Conduct of the Opposition.—Their Success.—Disunion.—Bolingbroke secedes from them.—His Dissertation upon Parties.

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SOME of Bolingbroke's contributions to the Craftsman are of a less ephemeral character. Of these the most remarkable are his letters upon the History of England, written under the signature of Humphrey Oldcastle. This performance manifests such an intimate acquaintance with his subject, as proves that Bolingbroke had not neglected the history of his own country in his anxiety to become conversant with that of others. The just opinions he had formed of the genius of our constitution, and the soundness of his views of public policy, were in these letters made apparent; and the reader of them must acknowledge that, so far at least as theoretical knowledge can qualify, Bolingbroke had the highest claims to the reputation of an able statesman. The judgment with which his maxims of policy and government are applied to the different conjunctures which have happened in our history, discovers the acuteness and penetration of the author. The sub-

ject indeed was generally treated with a regard to the object of the paper in which the letters appeared, and it was itself fertile in opportunities for insinuating or enforcing topics of opposition. But now that the circumstances of the time are more remote, and more faintly remembered, the excellence of the observations is admitted, and their propriety acknowledged. We lose the pungency of the satire conveyed in the intended application, but we understand the principle insisted upon, and feel it to be good.

Several of these letters were so annoying to the ministers, that they vented their rage in prosecutions against the publisher. Bolingbroke's practice under similar circumstances had not been such as to entitle him to use any very high language upon this occasion: but injustice is far more apparent to him who suffers than to him who inflicts; and the indignant defiance which he hurled against the prosecutors is one of the most brilliant pieces of impassioned eloquence in our language. "The persons whom you threaten, sir," he says upon this occasion, "neither value your favour nor fear your anger. Whenever you attempt any act of power against any of them, you shall find that you have to do with men who know they have not offended the law, and therefore trust they have not offended the King; who know they are safe so long as the laws and liberties of their country are so; and who are so little desirous of being safe any longer, that they would be the first to bury themselves in the ruins of the British consti-

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tution, if you or any minister as desperate as you should be able to destroy it. But let us ask, on this occasion, what you are who thus presume to threaten. Are you not one whose measure of folly and iniquity is full? who can neither hold nor quit his power with impunity, and over whose head the long-gathering cloud of national vengeance is ready to burst? Is it not time for you, sir, instead of threatening to attack others, to consider how soon you may be attacked yourself? How many crimes may be charged upon you and yours which almost every man can prove? and how many more are ready to start into light as soon as the power by which you now conceal them shall determine? When next you meditate revenge upon your adversaries, remember this truth:—the laws must be destroyed before they can suffer or you escape."*

These letters procured for the Craftsman an immense sale; so that, during their appearance, it far exceeded even that of the Spectator. They were afterwards collected into a volume, and published with a dedication and a preface. The dedication is to Sir Robert Walpole, then the Earl of Orford, and written in the ironical strain of the Occasional Writer.†

* Letter xii.

† It was at that time an ordinary method of giving pungency to a satirical production, to dedicate it to the person attacked. Pulteney had some years before written a similar dedication for Walpole's Account of the Parliament, which was inscribed to the Earl of Oxford.

To remark upon every pamphlet which at this time proceeded from Dawley Farm, would exceed the importance which has been attached to them by posterity; and to notice the answers they called forth, would lead us into a minute history of the reign of George the Second. Suffice it to say, that the productions of Bolingbroke in disgrace and retirement were as widely circulated and as universally read as those had been which appeared as the work of St. John the favoured minister. The circumstance of his absence from the arena of politics by no means lessened the weight of his influence: his writings penetrated where his voice was forbidden to be heard; and perhaps, from the distance at which he was placed, he could judge more impartially of the policy of the government, and was less liable to be distracted by private bias or party prejudice from what was now become the real object of his solicitude—the welfare of his country.

That there was ample occasion for the efforts of an impartial and experienced observer, few modern writers upon this period of our history have denied. The shining talents of Walpole were exerted rather to preserve himself in power than his country in prosperity. His plausible eloquence was well adapted and was entirely consecrated to the recommendation of that ruinous German policy which the King approved, and which he therefore found it his interest to second. The nation in general, however, wanted something more than words to persuade them that

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it was prudent to risk the fortune of England in perpetual contests for the aggrandizement of a petty state which had its value only in the estimation of its sovereign, but which to the people he was now raised to govern was rather an encumbrance than an advantage. Walpole found it necessary to add this more substantial persuasive; and his administration has become infamous for the unbounded and shameless corruption by which it was sustained. Against this corruption, and against this unnational policy, the keen satire of Bolingbroke was continually levelled; and while Pulteney* was silenced by overwhelming majorities in the senate, his coadjutor was imperceptibly, but surely, opening the eyes of the people, and more certainly undermining the power of the ministry, by gradually destroying their popularity.

This opposition, extending as it did over such a number of years, was varied by many political events; but Bolingbroke's part in these was now too subordinate to require any notice of them at our hands. The death of George the First, in 1727, caused but little change in the measures of government; but it annihilated all Bolingbroke's hopes of further restoration. George the Second was at least free from one of his father's weaknesses—he allowed

* Franklin, the printer of the Craftsman, told Horace Walpole that Pulteney never contributed any entire papers to the Craftsman, although he sometimes supplied hints: the contrary was the general opinion at the time.—*H. Walpole's Letters to Sir Horace Mann.*

himself to be controlled by no woman; and although he compensated for this by the indulgence of many vices from which his father had been free, his firmness preserved him from the annoyance of those intrigues by which the late King had been continually harassed.

The opposition continued unabated, and Bolingbroke's letters began to work their effect. The signatures he assumed always became popular, and, among others, John Trot was particularly distinguished.

Affairs at last arrived at what the opposition believed to be a crisis, and the fall of the minister was thought to be inevitable. The people were in the highest state of excitement against the Excise Bill, then before the house; mobs besieged the houses of parliament, calling for its rejection; cockades with the words "Liberty, Property, and no Excise," were publicly worn:—all things portended Walpole's downfal, and the opposition looked upon their work as done.

While the prey was in view, the pursuers had been ardent and unanimous; now that it appeared to be within their grasp, their exertions were feeble and disunited. Bolingbroke found that the same selfishness and jealousy which he had always experienced in political coadjutors was not banished from the counsels of his present friends. In the commencement of the struggle, they had drawn their weapons of opposition from the armoury of the

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constitution, and their temper and excellence had alone brought them to the very point of success: now, however, they were thrown aside, and the instruments of faction were adopted in their stead. Even these were turned against each other in domestic contest; and Bolingbroke grew disgusted with a cause which was no longer recommended by patriotism or honour. He had long ceased to be the slave of the Tory party; he had long ceased to consider the support of a faction the business of his life. Adversity, and the reflection it induced, had taught him juster views of the duty of a statesman: he was now only the servant of his country. Now, when his companions in opposition were supposed to be upon the very eve of success, Bolingbroke refused to abandon this better principle, which misfortune had taught him to take up. Immediately the expectation of power had blinded them to the object which they had before steadily pursued, he seceded from them, and declared his part was over:* no promises or entreaties could induce him any longer to continue his support.

The attempt upon which Pulteney and his friends had counted with such certainty, signally failed.† The majority which they expected was decisively

* Coxe's Walpole Correspondence, period 3, art. Bolingbroke.

† They expected that in the ballot for a committee which they had obtained to inquire into the frauds in the customs, there would be a majority against the minister; and that many who secretly wished his

against them. The King, whom they supposed dissatisfied with his minister, firmly supported him. The popular tumults, upon the abandonment of the obnoxious bill, subsided; and Walpole was again secure. It might be supposed, that when the cause of disunion was withdrawn, the effect would cease, and that Bolingbroke would have again joined the disappointed leader of the independent Whigs. But he had for ever broken the chain which riveted him to any cause having even the semblance of a party character. He determined to make one more vigorous effort to enlighten his countrymen; to diminish the bitterness of factious feuds; to show the injury they bring upon the country, and the public calamities they entail; and to illustrate those principles of the constitution which were then most constantly concealed by the well-woven sophistry of the dominant party. Having completed this task, he intended to retire again into France — a country which his determination to retire from all interference with public affairs, and his lady's declining health, particularly recommended to him.

The work which he thus projected is that which has descended to us by the title of "A Dissertation upon Parties," and which is now read as the most masterly treatise upon the subject it embraces which

downfal, but were afraid to declare openly against him, would take that secret manner of accomplishing their wish. They were deceived: the ministerial list was carried by a majority of eighty-five.

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the student in history or politics can peruse. The object of this performance is thus declared by the author:—"There is no complaint which hath been more constantly in the mouths, no grief hath lain more heavily at the hearts of all good men, than those about our national divisions; about the spirit of party, which inspires animosity and breeds rancour; which hath so often destroyed our inward peace, weakened our national strength, and sullied our glory abroad. It is time, therefore, that all who desire to be esteemed good men, and to procure the peace, the strength, and the glory of their country, by the only means by which they can be procured effectually, should join their efforts to heal our national divisions, and to change the narrow spirit of party into a diffusive spirit of public benevolence."*

Such were Bolingbroke's more experienced sentiments; sentiments which form a bitter commentary upon those which he has so ostentatiously avowed in his Letter to Sir William Windham. There he considered a devotion to his party a sufficient apology for treason against his country. Then, he ranked himself among those whom he afterwards censured as men who mean little more than to make a private court at the public expense—who choose to be the instruments of a bad king rather than to be out of power, and who are often so wicked that they would prefer such a service to that of the best of kings:† now, he considers that very party spirit

* Dissert. upon Parties, Let. i. † The Idea of a Patriot King.

which he then avowed as a merit, to be a complaint and grief among good men, a domestic weakness, and a national disgrace. If we find in the former production the ardour of a party politician, we have no reason to suspect in the present the candour of the patriotic philosopher.

This treatise is comprehended in nineteen letters, and was, like most of his other political works, first printed in the Craftsman. The origin of the great parties which have divided the state is summarily traced, and the causes of their birth assigned; the corruption which marked their future conduct is pointed out; and the injurious consequences which have resulted from the necessity they have each at different times been under to pander to the crown or to corrupt the people, are stated and investigated.

Such was the closing effort of Bolingbroke, in a contest which he had maintained for ten years, with unexampled success as a writer, but with little success as a politician. This piece appeared in a complete state in the year 1736, and was, like others of his works, furnished with a dedication to the Earl of Orford. The eagerness with which it was read must have been flattering to Bolingbroke's feelings as an author; and the reputation which it obtained argued that there was a large class in the country which coincided with his views of the true interest of the nation.

CHAPTER VII.

Bolingbroke's Literary Occupations during this period.—His Religious Sentiments, as expressed among his private friends.—Swift.—Pope.—The Essay on Man.—Dr. Warburton's Commentary.—Voltaire.

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We have hitherto reviewed the political portion only of those labours which relieved the monotony of Bolingbroke's rustic retirement. These, however, formed but a small part of his literary occupations. It had been happy for his fame as a philosopher, and his reputation as a member of society, had all the efforts of his powerful mind been made in the pursuit of objects as laudable as those which prompted his contributions to the Craftsman. Posterity might then have regarded him as a man who retrieved the errors of his youth by the virtues of his age, and his country might have received the unbought services of his later years in expiation of the evils which he had inflicted as the leader of a faction. But the biographer is not allowed to draw a curtain over a peculiar feature of his subject's character. We must exhibit Bolingbroke as his life and conversation portrayed him to his contempora-

ries, and as his works have transmitted him to posterity.

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When Bolingbroke returned from his long exile, and abandoned himself to rustic employments, domestic duties, and literary leisure, he was in his forty-sixth year; an age when the judgment is matured without being impaired, and the mind is fortified with experience without being weakened by age. The vices of youth had then lost their power, and the passions which had lent them force had expired with the strength and vigour which prompted and sustained them. The characteristic vices of old age Bolingbroke never contracted. The avarice which tormented Swift never embittered *his* repose; on the contrary, one of his friends remarks that he never knew him live so expensively as he did for some time after his return from exile.* Thus, with no irregularities to indulge or palliate, we might expect to find him abandoning with the practice the sentiments of the libertine, and assenting with an unbiassed judgment to the truths which his passions had before disguised or concealed.

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But very different was the conduct of this extraordinary man. He had been early disgusted by a puritanical tutor, and he afterwards easily coincided with the opinions of the company he affected. He had originally received his sceptical ideas from disgust and example, — he now retained them from what he considered to be the dictates of his reason.

* Pope's Letters.

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Unhappily, he had not sufficient resolution to confine his sentiments to his own breast. There is a spirit of proselytism which comprehends error as well as truth; and although during his lifetime his infidelity was masked to the world, it was discovered to his private friends. The chief of these friends were Pope and Swift: with the former, during his seclusion, he maintained an uninterrupted friendship; with the latter he exchanged a frequent and copious correspondence. In this correspondence the scepticism of the writer occasionally peeps out. Swift is sometimes told that mystery is his profession, and hints are often dropped that it was a mystery rather politically useful than intrinsically sacred. These profane and jesting allusions seem never to have called forth a reproof from the dignitary to whom they were addressed: in his replies they are rather eluded than reproved. Swift's later biographers have represented him as a pattern of unostentatious piety; and his family prayers and his attention to his clerical duties are triumphantly brought forward to repel the accusations which have not unfrequently been brought against him, that he himself had little confidence in the doctrines he preached.* The

* General Grimouard, in his "Essai sur Bolingbroke," says, that he was intimate with the widow of Mallet the poet, who, he says, was a lady of much talent and learning, and had lived upon terms of friendship with Bolingbroke, Swift, Pope, and many other distinguished characters of the day, who frequently met at her house. The general adds, that he has heard this lady frequently declare that these men were all equally

opinions of his contemporaries certainly inclined to this decision. It is well known that the queen, upon the representation of one of her prelates, absolutely refused to confer upon Swift a bishoprick which her ministers had reserved for him; a resolution which, as he was never accused of gross immorality, must have proceeded rather from his presumed opinions than his actions. The loss of his support in the house of lords was at this season no slight inconvenience to the ministry; and if their representations had no weight with Anne, she must have been thoroughly convinced of the validity of the objections which had been made to him.* An imputa-

deistical in their sentiments, ("que c'était une société de purs déistes"); that Swift from his clerical character was a little more reserved than the others, but that he was evidently of the same sentiments at bottom. There is a remarkable passage in one of Pope's letters to Swift, which seems rather corroborative of this account of the general's. He is inviting Swift to come and see him. "The day is come," he says, "which I have often wished, but never thought to see, when every mortal that I esteem is of the same sentiment in politics and religion." Dr. Warton remarks upon this paragraph, "At this time therefore, (1733,) he and Bolingbroke were of the same sentiment in religion as well as politics." But was not Swift also one of those whom Pope esteemed?

* Dr. King says, that he was told by Bolingbroke that this version of the affair was incorrect; that the queen never opposed Swift's elevation to the bench; but this was merely an excuse which Harley invented to meet the applications of Swift, whom he could not afford to affront. Dr. King, however, did not believe this, but attributed it to Bolingbroke's hatred of Harley. The account given in the text is that which is more generally received.—*Dr. King's Anecdotes.*

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tion was yet more publicly cast upon his religious character. The Earl of Nottingham, in the debate upon the Dissenters' Bill, chiefly founded his objection to the provision that the bishops should have the only power of licensing tutors, upon the likelihood, he said, there was that a man was then in a fair way of becoming a bishop *who was hardly suspected of being a Christian.** This pointed allusion to Swift passed without comment or reply, in a public assembly composed in a great measure of his private friends and associates. This seems to intimate that the opinion of his contemporaries was not very strong in favour of Swift's religious principles, though it certainly does not prove that their opinion was correct.

It has been attempted, with equal zeal but with even less probability, to show that Pope had no community of feeling with Bolingbroke; that he was the dupe of the latter's designing infidelity, and was even ignorant that he entertained the sentiments he found means to promulgate through him. Dr. Johnson says,† probably upon Bishop Warburton's authority, (an authority for which upon other occasions he shows little deference,) that Bolingbroke boasted among those who were in his confidence of the deception he had practised upon the poet. Who those persons were who were so honoured with his confidence, we are not told; but it will require very strong evidence to prove, that the man who was Bo-

* Parliamentary History. † Life of Pope.

lingbroke's most constant companion, who was present with him in his hours of leisure, and conversed with him in his most unguarded and social moments, could be ignorant of a feature of the mind so strongly marked — of a peculiarity so all-pervading as an entire rejection of all revealed religion. The evidence which we have, however, is entirely upon the other side. The peculiar ideas of Bolingbroke upon the subject of religion are chiefly to be gathered from his essays, or, as he called them, his metaphysics: they are never, except perhaps in one very ambiguous instance, even hinted at in his political works. Yet these essays were written in the form of letters to Pope: they were read, approved, and celebrated by him; he speaks of them in his private letters, and praises them to their mutual friends. To Swift he says, "I hope you will live to see and stare at the learned figure he will make on the same shelf with Locke and Malbranche."* This sentiment is expressed in what Bolingbroke elsewhere calls a chedder† letter; that is, a letter compounded of paragraphs furnished by different individuals; a manner in which the literary men of the day frequently cor-

* Pope's Works by Warton, vol. ix.

† A chedder cheese is, I believe, made from a contribution from different dairies, to avoid the necessity of keeping the milk or cream, by which part of it would become sour before the requisite quantity was obtained. This plan of contribution may be very good in cheese-making, but it is certainly not so in letter-writing: the chedder letters are almost invariably the worst.

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responded with Swift. Bolingbroke, who follows Pope, remarks upon the passage we have quoted: "Pope talks very pompously of my metaphysics, and places them in a very honourable station. It is true I have writ six letters and a half to him on subjects of that kind, and I propose a letter and a half more, which would swell the whole up to a considerable volume; but he thinks me fonder of the name of an author than I am. When he and you and one or two other friends have seen them, *satis magnum theatrum mihi estis;* I shall not have the itch of making them more public." * Here is no attempt to conceal his sentiments from his two friends, nor any apparent anticipation that the discovery will astonish or displease.

These remarks may serve to show that it was not without understanding each other that the poet and the philosopher joined to construct a system of ethics. This, they determined, should descend to posterity clothed in a more attractive form than those which are to be dug from the ponderous folios in which their authors have entombed them. The sentiments, the design, the philosophy, was to be Bolingbroke's;† the poetry, the ornament, and the

* Pope's Works by Warton, vol. ix. p. 261.

† Lord Bathurst repeatedly assured Dr. Warton, the editor of the best edition of Pope's Works, that he had read the whole scheme of the Essay on Man in the handwriting of Bolingbroke, and drawn up in a series of propositions, which Pope was to amplify, versify, and illustrate.—*Prefatory Remarks to the Essay on Man.*

fame, Pope's. The progress of the work was slow. Bolingbroke was much engaged with politics and politicians; and the poet in vain endeavoured to cure him of this distemper, which, as we have seen, had again so thoroughly possessed him. He begs the aid of Swift to argue him out of his fruitless interference with politics, and complains that Bolingbroke is so taken up with particular men that he neglects mankind, and is still a creature of this world, not of the universe. His poem opens with what he himself calls an admonitory hint to his friend to this effect. While he dissuades him from other pursuits, he indirectly intimates his share in the work he had before him.

> Awake, my St. John! leave all meaner things
> To low ambition and the pride of kings:
> Let us (since life can little more supply
> Than just to look about us and to die)
> Expatiate free o'er all this scene of man;
> A mighty maze! but not without a plan;
> A wild where weeds and flowers promiscuous shoot,
> Or garden tempting with forbidden fruit.
> Together let us beat this ample field—
> Try what the open, what the covert yield;
> The latent tracts, the giddy heights explore
> Of all who blindly creep or sightless soar;
> Eye Nature's walks, shoot folly as it flies,
> And catch the manners living as they rise;
> Laugh where we must, be candid where we can;
> But vindicate the ways of God to man.

The result of the meditations of the poet and the philosopher upon the scene thus proposed for their

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consideration, it is hardly our task to criticise. All the beauty of poetic diction was brought to deck a system, based indeed upon the immutable truths of Natural Religion, but leaning for no support upon the equally sure authority of Revelation. Its faults are faults rather of omission than commission. The principles it inculcates are admirably traced from the fountains of truth which may be drawn from natural reason; but they are taken only as they come from those fountains—they are never pursued through the purifying medium of real religion. The grand error which pervades this poem is beautifully alluded to by Young in his first Night Thought:—

> O had he press'd his theme, pursued the track
> Which opens out of darkness into day!
> O had he mounted on his wing of fire,
> Soar'd where I sink, and sung immortal man!

The assertion that Pope was not aware of the ultimate tendency of the principles he was putting forth, has received some support from his conduct when his work was attacked. When Crouzaz, the Swiss professor, exposed the philosophy of the poem, and showed the real tendency of the doctrines it inculcated, Dr. Warburton, who had spoken disparagingly of Pope's genius at his first appearance, but when his fame was established had joined the crowd of his flatterers, took up the gauntlet in his defence. The doctor was a skilful advocate and a rough

enemy. His reputation and his violent abuse almost crushed the unfortunate professor, who little anticipated the storm he was raising against himself. The principles of the Essay on Man were argued to be perfectly in accordance with those of Revelation. The dictator of the critical world declared this to be the fact, and denounced his weighty indignation against all who should presume to question it. Pope was alarmed by the consequences of what he had done, and was glad to retire behind the shield which the critic so opportunely extended. He declared that the third letter of the doctor's commentaries, in which the Swiss is demolished, makes his system as clear as he ought to have done, but could not. It is indeed, he declares, the same system as his, but illustrated with another ray. His gratitude to his opportune supporter betrays him into the most extravagant hyperbole in returning him thanks for the service. The remarks of Warburton had, it seems, such an effect upon the system of Pope, that what had before been but a natural body, became like to that same body glorified; an image as disgusting from its outrageous flattery as offensive from its impiety. He meant, he says, just what Warburton explained; but he did not explain his meaning so well as he.*

This declaration, if it stood alone and uncontra-

* Letter to Dr. Warburton, Pope's Works by Warton, vol. ix. p. 335.

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dicted, might indeed go far to prove the innocence of Pope; but with the evidence of his concurrence which has been adduced, it can prove only that he trembled for the fate of his poem, and was eager to subscribe to any explanation which would avert from it the censure that was preparing against it.

Should the evidence furnished by his letters and his strict intimacy with Bolingbroke be insufficient to prove this, other yet more indisputable remains. Whatever may be thought of these, the testimony of his intimate friend, Mr. Jonathan Richardson, must be decisive upon this point. "As to his Essay on Man, as I was witness to the whole conduct of it in writing, and actually have his original manuscripts for it, from the first scratches of the four books to the several finished copies (of his own neat and elegant writing these last); all which, the MS. of his Essay on Criticism, and several of his other works, he gave me himself, for the pains I took in collating the whole of his printed editions, at his request, on my having proposed to him the making an edition of his works in the manner of Boileau's;—as to this noblest of his works, I know that he never dreamed of the scheme he afterwards adopted—perhaps for good reasons, for he had taken terror about the clergy, and Warburton himself, at the general alarm of its fatalism and deistical tendency; of which however we talked with him, my father and I, frequently at Twickenham, without his appear-

ing to understand it otherwise, or even thinking to alter those passages which we suggested as what might seem most exceptionable." *

It is not improbable that Pope may afterwards have discarded the deistical tenets which he held when he versified the Essay on Man. We may hope that he did, and that he then gladly received any interpretation of it which took away the noxious tendency which he had before wilfully given to it.

This view of the case is charitable to the poet, and not very inconsistent with probability. But whatever might have been his subsequent opinions, there is no ground for the odium which Pope's friends have thrown upon Bolingbroke for his share in the work. To deceive an unsuspecting friend as to his views upon the most important subject which can occupy the human mind, and then to abuse his confidence by making him the unconscious channel for the propagation of opinions he abhors, were a baseness of which Bolingbroke was incapable. The charge cannot be too fully disproved, nor its injustice too strongly censured. Bolingbroke has already too many faults which justly stain his me-

* Warton's Prefatory Remarks. Mr. Richardson's language, probably delivered in conversation, is not very perspicuous: but it is sufficiently clear that by "the scheme which he afterwards adopted," he means that which was suggested to Pope by the commentaries on the Essay on Man.

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mory: it is unpardonable to take advantage of the prejudice which these have raised against him, to attribute to him vices to which he was a stranger. The morality of Pope's work, so far as it goes, is excellent, and the design of that morality is undoubtedly Bolingbroke's. To him, therefore, is due the honour of having materially contributed to the performance upon which the fame of his friend must chiefly rest, and which, with all its imperfections, is the best ethical poem that has appeared either in ancient or modern times.

Thus Bolingbroke, although he sunk below mediocrity when he attempted poetry himself, was eminently successful in directing the genius of others: he had a share in the completion of the two most considerable poems which appeared during his time. We have before related, that during his residence at his hermitage in France he received a visit from Voltaire, and furnished many hints and corrections for the "Henriade," which that poet was then occupied upon. Voltaire paid him another visit at Dawley. He had arrived in England to solicit subscriptions for the poem, which was now completed; and the friendly patronage of Bolingbroke forwarded the publication of the work, to the perfection of which his advice had contributed. Voltaire had not at this time manifested the violent opinions which afterwards so blackened his name. Among the English he was generally a favourite. The object

of his journey was fully answered; and even the King did not hesitate to give him substantial proofs of his bounty and approbation.* The visit of this extraordinary man, who yielded not even to his host in the brilliancy of his conversational talents, must have formed a pleasing event in the little-varying life which Bolingbroke led at Dawley. Voltaire left this country in 1728, and returned to France with a sum which, by judicious management, secured him an independence for the remainder of his life.

* Upon his arrival in England, he found that the house upon which he had letters of credit had failed a few days before. The King, immediately upon hearing of his misfortune, sent him a sum fully sufficient to cover his loss. He afterwards lent his name to the subscription to the Henriade; and his patronage, aided by that of the Princess of Wales, removed every difficulty. Voltaire had grounds for the affection and gratitude with which he always mentions England.

CHAPTER VIII.

An Examination of Bolingbroke's Philosophical Works.

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We have already mentioned Bolingbroke's metaphysical essays as a production of this period; we come now to a more particular examination of them.

Lord Bolingbroke was a deist. He believed in the existence of a God — he denied that he had ever revealed his will to man. Like others of his caste, his first object was to destroy the fabric which had been raised upon the basis of Revelation; his second, to erect upon its ruins a system of his own. His attacks upon the authority of the grand proofs of Christianity are put forward without regard to any system of regularity, or any proposed line of argument. Having adopted the style and assumed the licence of an essayist, he thinks himself absolved from any obligation to observe method or continuity in his arguments. With the usual practice of those who have adopted his sentiments, he scatters objections in wild profusion; supports them now with sarcasm and irony, now with declamation and abuse. He draws, from the magazine which has been so long at the service of every dabbler in infi-

delity, the arguments which had become worn by frequent use, and battered and misshapen from the blows by which they had been repelled. He dressed them out with new and polished mountings, removed the rust they had contracted in the hands of less skilful artists, disguised their flaws and altered their arrangement, and exhibited them to the world in confidence that their origin and their former failures would remain undiscovered, that their identity was destroyed, and that what had before been rejected as spurious would now, with the sanction of his name, be received as genuine. His anti-christian scheme is not a consolidated body of argument raised by justly reasoning upon one or a few fundamental errors; it is not a well-conjoined phalanx, whose power depended upon its perfect conjunction, and which, once broken, was defeated: it is rather a series of light attacks, feeble in their single attempts, but harassing and formidable from their frequency and suddenness.

The metaphysics of Bolingbroke therefore cannot be examined in the order in which they are written, but a view of his ideas upon this subject must be gained from a general reference to the whole work.

Bolingbroke, like all his fellow-labourers in the same cause, has advanced innumerable objections against the truth of Christianity, which will all fall under two great classes. The first consists of attacks upon the authenticity of those scriptures upon which this religion is founded; the second, of

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arguments for its falsehood, drawn from the abuses to which it has been perverted, and the corruptions which have been mingled with it.

Against the authenticity of Revelation he advances an *à priori* argument that mankind had no need of it, and that it is therefore highly improbable and inconsistent with the exactitude with which throughout all nature the supply is adapted to the want, to suppose that that has been given which was not necessarily required.

This argument, if it could stand examination, would be forcible; and he exerts himself to support it. For this purpose, we have highly-wrought encomiums upon the excellence and sufficiency of the law of Nature. This is particularly insisted upon in the 24th of his Fragments of Essays.* "Obedience to the law of Nature," says our author, "is our first duty and our greatest interest. The happiness of our whole kind, wherein every individual is included, depends on it. Obedience carries its reward, disobedience its punishment, along with it in the general system; and God has not made particular systems nor established particular providences for particular nations, much less for particular men, as far as we can discover by the help of reason and experience. The same causes produce the same effects everywhere, with some little variety of circumstances; and as the precepts of the law are common to all men, so are the sanctions of it.

* Works, vol. v. p. 209.

In short, as all men sin against the order of Nature more or less, so the imperfect state of mankind shows that they suffer more or less by the uniform course of it."

But this perfection and sufficiency of the law of Nature he finds is not quite so indisputable as it would suit his purpose to assume. He addresses himself chiefly to impair the arguments which had been lately advanced upon this point by Dr. Samuel Clarke, in his well-known Discourse concerning the unchangeable obligations of Natural Religion, and the truth and certainty of the Christian Revelation. The proposition which the doctor advances upon this point is, that there was plainly wanting a divine revelation to rescue mankind out of their universally degenerate state, and that both the necessities of men and their natural notions of God gave them reasonable ground to hope for such a revelation.

The erudition and research of the theologian was not a whit inferior to that of the deist. The contest is carried on in the regions of classical antiquity with little advantage on either side, save that which was bestowed by the difference of the intrinsic merits of their several causes. To give an account of the objections urged, and of the answers which they had by anticipation received, would be foreign to our purpose. It is a sufficient notice of them to say, that such objections were made,—that Bolingbroke was himself convinced of their weight, and the majority of his readers of their futility.

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After his objections to the necessity of revelation, we may rank his objections to the authenticity of that which we so receive. In advancing these, he has recourse to a flimsy subterfuge, which was neither calculated nor intended to deceive the reader as to the ultimate conclusions to which his arguments tended, and which, upon any other subject than that upon which he is now writing, he himself would have despised. He pretends that he is attacking, not the truth of revelation, but only the metaphysical arguments by which it is supported by divines; which, if it means anything, means that he is about to inculcate a belief in revelation, as a political instrument, after he has stripped it of every argument which can render that belief consistent with common reason or common sense.

Thus, speaking of the immortality of the soul, and future rewards and punishments, he says,—"Some parts of what philosophers and poets had imagined, were sanctified by revelation soon afterwards. Thus sanctified, they deserve our respect and challenge the implicit belief of every Christian. Thus, and thus alone, they are maintained in opinion,—and not by the futile reasonings of divines, with which we have to do here. These are called demonstrations* by the men who make them, and who triumph in them as if they were sufficient of themselves and

* He refers to Dr. Clarke, who wrote "A Demonstration of the Being and Attributes of God, more particularly in answer to Mr. Hobbes, Spinosa, and their followers."

must convince by their own evidence. But the truth is, they would have little effect upon the minds of men, if they did not pass for superabundant proofs of what is made certain by revelation; and if the respect that men pay to revelation did not screen these reasoners from being attacked so directly and in so many ways as they would be otherwise, and as they deserve to be, for presuming to rest all religion, both natural and revealed, on their metaphysical refinements, and their abstract reasonings *à priori*." *

When Philip demanded the Athenian orators to be given up to him, he was answered by the celebrated fable of the wolves, who offered peace to the sheep upon condition that they would surrender to them their dogs. The object of the Macedonian king was not more apparent than that of the English deist: surrender the arguments by which the truth of revelation is demonstrable, and he will readily admit its authenticity, for Christianity would then hardly form an obstacle to the establishment of that "First Philosophy" which Bolingbroke so idolized. This was a weak affectation of imitating the philosophers, who, while they diligently endeavoured to trace out to their utmost extent the principles of natural religion, outwardly conformed to the corrupt but still useful superstitions of their country. He sufficiently resembled them in their scepticism; the difference was, they substituted a better for a worse, he a worse for a better.

* Fragments of Essays, No. 46.

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His simulated regard for the Christian Revelation does not, however, extend to the Jewish. Against this he points all the artillery of his invective. There is nothing very novel or remarkable in his objections when he condescends to fall from general expressions of contempt to the examination of particular circumstances. Most of the topics are the same which had been before adduced by Blount, Toland, Collins, Chubb, Morgan, and others, whose names are known only by the answers which they drew from more able men: the same which have since been advanced by names more numerous indeed, and at present more notorious, but which at the same distance of time will sleep in the same oblivion with these their fellows. They are the same topics which had already been answered by a Clarke, a Baxter, a Burton, and a Tillotson; and since by others, whose labours have become less celebrated only because they were less required.

He thinks it necessary to insist upon the ignorance of Moses, and the difference between his account of the nature of physical phenomena, and that which modern discoveries have ascertained to be correct; although he admits the only fact necessary to answer the objection — that Moses did not write to instruct the Israelites in natural philosophy, but to imprint strongly on their minds a belief of one God the Creator of all things.*

* Letter occasioned by one of Archbishop Tillotson's sermons. Works, vol. iii. p. 300.

The objection that Moses was not a contemporary writer as regards a large portion of his history, and his inquiry whence he obtained his knowledge concerning the creation, which even Adam could not have afforded him, he also answers himself, when he admits that a direct revelation from God as to these circumstances "would lead men to acknowledge a Supreme Being by a proof levelled to the meanest capacity." * This is the simple and sufficient answer to his objection; and as Bolingbroke was prepared to argue that no revelation was required and therefore none was given, he must also have been prepared to admit that where revelation was required one was given. The form of argument is the same, and the conclusion is equally forcible in one case as in the other. Both proceed upon the hypothesis mutually granted, that in the economy of Nature the supply is equal to the need. The difference is, that Bolingbroke draws his conclusion from a premise which he has failed to establish, viz. that no revelation was necessary: we draw ours from one which he himself has furnished.

The history of Moses, he objects, is not supported by any collateral testimony. By collateral testi-

* Substance of some letters to M. De Pouilly. Works, vol. iii. p. 253. These letters and that occasioned by one of Archbishop Tillotson's sermons are here considered as part of his Essays. Indeed they are so: they are necessary to the understanding his system, and they were written about the same time as the letters to Mr. Pope, which are more usually called his Essays.

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mony, he means the testimony of those who had no common interest of country, of religion, or of profession, to disguise or falsify the truth. For he says, it is not enough that the same facts are related even in contemporary or nearly contemporary books: if the authors of the books are of this description, all their testimonies would then in effect be but one.

The "Antiquities" of Josephus at this point of the argument intruded themselves upon the essayist's memory; but he despatches them with little ceremony. He extends his rule for their especial demolition, and insists that it is insufficient that the authors have no common interest of country, religion, or profession; their testimony must also have come down to us by the instrumentality of no person who had any such common interest. This rule was doubtless excellent for his immediate purpose; but we fear that, after it had served that purpose, it would have hampered him sadly had he attempted to make it the companion of his discursive rambles through the fields of profane history. "Josephus," he says, "attempts to support this history by collateral testimonies—those of Egyptians, Phœnicians, Chaldeans, and even Greeks. But these testimonies, were they never so full to his purpose, would cease to be collateral testimonies, by coming through him who had a common interest of country and religion to disguise and to falsify truth. If we examine the use he makes of the fragments he cites from Manetho concerning the

shepherd kings, and many other citations from his works, we shall find abundant reason to suspect him of both. Eusebius is a collateral witness as little as he; and yet from these two quivers principally have all the arrows employed to defend the authenticity of the Old Testament been drawn."

When Bolingbroke asserts it as a condition of historical authenticity, that the principal facts be confirmed by collateral testimony, he asserts a rule which is generally correct, but particularly inapplicable. Where several collateral relations exist, their agreement will prove indisputably the occurrences they relate; but where several do not exist, and their non-existence may be accounted for by such a satisfactory reason as the lapse of five thousand years, recourse may fairly be had to the evidence which in the nature of things is the best that can be expected. In the determination of the most important questions which can arise between man and man, the laws of all nations acknowledge this necessity, and have recourse to this kind of testimony. Men can give no stronger opinion of the validity of a particular mode of decision than by adopting it as a means of deciding their titles to what they are most attached. The consent, therefore, which has admitted this species of testimony into every court in Europe, should demonstrate to an impartial reasoner that it is always valuable, and, in default of better or equal evidence on the other side, decisive.

That no direct collateral testimony exists, Boling-

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broke affirms; and that is readily admitted, adopting his definition of collateral testimony. But he admits, that "the man who gives the least credit to the Mosaic history will agree that these five books contain traditions of a very great antiquity, some of which were preserved and propagated by other nations as well as the Israelites, and by other historians as well as by Moses." This admission is all that is required to refute the objection he has advanced. The impartial judgment of mankind upon circumstances of important but daily occurrence, proves, that after a lapse of time, greater or less in proportion to the magnitude or notoriety of the occurrence, evidence which in more recent cases would be disregarded becomes proof. Remoteness of time destroys the negative argument, that if better proof had existed it could be produced; and circumstances but slightly corroborative are then admitted as conclusive. We have a proof of these circumstances in the admission of our author; and in the lapse of from four to six thousand years we have abundant cause to show that these are the best proofs which could reasonably be expected.

But this position is also admitted by our author. He observes, that "common sense requires that everything proposed to the understanding should be accompanied with such proofs as the nature of it can furnish. He who requires more is guilty of absurdity; he who requires less, of rashness." *

* Vol. iii. p. 246.

Other of his objections serve to display as much thoughtlessness as those we have mentioned do inconsistency. When he objected, "that the tradition of Noah's deluge is vouched by no other authority than that of Moses, and that the memory of that catastrophe was known only to one people and preserved in one corner of the earth," he could not have forgotten the traditions which in every country obtained of such an occurrence; nor could he have been ignorant of the fact, that all the phenomena of geology prove the highest points of the earth to have been at some remote period submersed by water. He here relied very venturously either upon the ignorance of his readers, or their implicit deference to his authority.

His objection, that the priests were the guardians of the public records, and his inquiry, "With what face can we suspect the authenticity of the Egyptian accounts by Manetho and others, which were compiled and preserved by Egyptian priests, when we received the Old Testament on the faith of Jewish scribes, a most ignorant and lying race?" hardly requires comment. Bolingbroke could discover no difference between the hieroglyphic records of the Egyptians and the generally known and publicly taught law of the Jews.

After many objections of equal validity, he finally rejects the authority of the Old Testament either as a history or a revelation; declaring, that none but a Don Quixote would believe that all the wonders

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related by romance-writers were historical truths; and that those who implicitly admit the miracles of the Old Testament are as credulous as he, and little less mad. "When I sit down," he says, "to read this history with the same indifference as I should read any other,—for so it ought to be read,—I am ready to think myself transported into a sort of fairy-land, where everything is done by magic and enchantment — where a system of nature very different from ours prevails, and all I meet with is repugnant to my experience, and to the clearest and most distinct ideas I have. Two or three incredible anecdotes in a decade of Livy are easily passed over: I reject them, and I return with my author into the known course of human affairs, where I find many things extraordinary, but none incredible. I cannot do this in reading the history of the Old Testament: it is founded in incredibility. Almost every event in it is incredible in its causes or consequences; and I must accept or reject the whole."

CHAPTER IX.

An Examination of Bolingbroke's Philosophical Works, continued.

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BOLINGBROKE having thus decided that he would reject any revelation which was not accompanied by miraculous evidence for want of authority, and any which was so accompanied for want of probability, passes on to attack the arguments of the New Testament: or rather, according to the plan we have adopted, this class of his arguments come next under consideration; for, as we have before observed, to be examined within the bounds which such a work as the present prescribes, they must first be classed.

In these objections the reasoner assumes such a Protean form, that it is difficult to discover what he is attacking, or the end he has in view; and he often leaves us in doubt whether indeed he had any other purpose than to distract the attention, and to prevent a rigid examination of his position. Now he approaches us in the garb of a friend, lauding the morality and celebrating the excellence of the principles of our religion; now in that of a bitter enemy,

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sneering at its defences, and openly questioning its truth: — here we have a page of eulogy; there, a dozen of abuse. Take, for instance, the conclusion of the fourth and the commencement of the fifth section of his fourth essay. It runs thus :—

"Though this religion (Christianity) was born, if I may say so, in a desert, and educated by a sect of the most obscure people in the Roman Empire; and though it seemed calculated in many instances to be rather the institution of an order of reformers, than of a national governing religion; yet no religion ever appeared in the world, whose natural tendency was so much directed to promote the peace and happiness of mankind. If it has had a contrary effect, it has had it apparently, not really."*

Again. "Christianity is founded on the universal law of Nature. I will not say that Christianity is a republication of it. But I will say, that the Gospel teaches the great and fundamental principle of this law—universal benevolence; recommends the precepts of it, and commands the observation of them in particular instances occasionally, always supposes them, always enforces them, and makes the law of right reason a law in every possible definition of the word beyond all cavil. I say beyond all cavil, because a great deal of silly cavil has been employed to perplex the plainest thing in nature, and the best determined signification of words according to the different occasions on which they are used."†

* Works, vol. iv. p. 282.

† Ibid.

Surely a religion so excellent must have the approbation of the statesman and the philosopher. "It is above all others directed to promote the happiness of mankind." This must command for it the approval of the philosopher. "It recommends the precepts and commands the observation of the universal law of nature." This must secure for it the protection of the statesman. Accordingly we find Bolingbroke seriously declaring that he means to defend the Christian religion,* and afterwards seriously asserting his implicit belief in its truth.

The conclusion of his fourth essay is too remarkable to be passed over.† "Christianity, genuine Christianity, is contained in the Gospels. IT IS THE WORD OF GOD. It requires, therefore, our veneration and a strict conformity to it. Traditional Christianity, or that artificial theology which passes for genuine, is derived from the writings of fathers and doctors of the church, and from the decrees of councils. It is, therefore, the word of men,—and of men for the most part either very weak, very mad, or very knavish. It requires, therefore, no regard, nor any inward conformity to it. You have, I know, at your elbow, a very foul-mouthed and very trifling critic, who will endeavour to impose upon you on this occasion, as he did on a former. He will tell you again that I contradict myself, and by going about to destroy the authority of the fathers and the

* Works, vol. iv. p. 280. Essay iv. sec. 4.

† Ib. p. 632.

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church, which I reject, I go about to destroy the authenticity of the Gospels, *which I admit.* But if the dogmatical pedant * should make this objection, be pleased to give him this answer: That I do indeed admit the Gospels—not on the testimony of the Spirit, like Calvin, but on that of the fathers and doctors of the church, who not only bear this testimony separately, but, assembled in a council at Laodicea, rejecting many other gospels, made a canon of these; and yet that his objection is impertinent, since I may receive the Gospels on the credit of these men—of whom I think very little better than I do of him—for authentic scriptures, just as well as he receives the books of the Old Testament, concerning which he has started so many idle paradoxes, for such, on the credit of the Jews, though he rejects their oral law and the fabulous traditions of their rabbins. Thus I shall conclude this long essay, wherein I have recalled the sum of what I have said to you in conversation, and which has, I fear, too much of the loose and wandering air of conversation."

It is not to be disguised, that in this tirade against the traditional corruptions which have adulterated the doctrines of Christianity, Bolingbroke includes the whole of the writings of the Apostles, and that

* This "dogmatical pedant" was Dr. Warburton, afterwards Bishop Warburton. The "idle paradoxes" were contained in his "Divine Legation of Moses." The epithet of "foul-mouthed critic" which Bolingbroke applies to him was too justly merited to be condemned.

he confines his admission and his belief strictly to the Gospels.*

But after the full and unqualified declaration which he makes of his assent to those Gospels, his admission of their divine origin, and his determination to defend them, was it to be expected that the same essays which contain these admissions should be rife with repetitions of all the oft-refuted and well-worn objections against the divine origin of this very revelation? Yet such is the fact. If it was miraculously given, why dispute that it was miraculously propagated? There is surely less absurdity in supposing that no revelation was given, than in supposing that it was given, but given in a manner the most unfavourable of all others for its credit and dissemination, and left to expire or survive, according to the capricious determination of human agents, or to the uncontrollable contingencies of human affairs. Yet the miraculous propagation of the Gospel Bolingbroke rejects!

But if we yield credence to all the propositions which our author formally states, and believe them all to be, at the time he writes them, the sentiments of the writer, we must suppose him to be the most absurd or the most fickle of men. One spot at least, the Gospels, he has declared to be firm and tenable ground; and while he pours the tide of his invective around it on every side, he professes to regard

* This is expressly affirmed in other parts of his Essays. See vol. iv. p. 328, and the note.

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this isolated spot with reverence and even with affection. But no sooner has he separated from it all that he declared to be bad, than he gradually encroaches upon the little isle itself; and at last his wrathful indignation breaks violently over the very spot he had declared to be so sacred.

Having, in imitation of his predecessor in the same path, Chubb,* attempted to separate the Gospel of St. Paul from that of Jesus Christ,—having rejected the Old Testament, denied its authenticity as a history, and derided its pretensions to inspiration — having dreamt that he has carried these outworks, without which indeed the fortress is indefensible, he advances to attack the citadel itself, — he now plainly tells us, that "natural religion is relatively perfect; and if it was so unrelatively, it would be very imperfect. It is therefore immutable, as long as God and man continue what they are; as long as we stand in the same relations to him and to one another. God cannot change; and to suppose that the relations of mankind to him or to one another may or have changed, is to assume arbitrarily, and without any proof that can be urged in a disputation of this kind. If it does not follow necessarily from hence, *sure I am it follows probably, that God has made no other revelation of himself and of his will to mankind.*"

Place this passage in apposition with those we have before quoted, in which the Gospels are de-

* See Chubb's Posthumous Works, vol. ii. p. 96.

clared to be "*the word of God,*" and how miserably inconsistent does all this tissue of spurious argument appear! We are at a loss to decide whether the philosopher is serious at all; and if he is, where his seriousness terminates and where his irony commences.

In prosecution of the object which is now developed to undermine and destroy the truths he had before so solemnly granted, we find a parallel drawn between natural and revealed religion; and no pains are spared to make the former appear the better. Those principles which we derive from Nature are declared to carry within them proofs of their divine origin. Their plainness and simplicity render them intelligible in all times and in all places alike; and that simplicity proportions them to the meanest understanding. He admits indeed that they have been made intricate by casuistry, that of lawyers and that of divines, as Christian religion has by theology. But then he pretends to discover a considerable difference between the two cases. The first principles of natural religion he finds to be so plain and simple, that casuistry has no apparent pretence to meddle with them. They want neither paraphrase nor commentary to be sufficiently understood. But he asserts, that the very first principles of Christian religion, concerning the fall and redemption of man, are so veiled in mystery of language, that without a comment or with one, and even with that of St. Paul, they give us no clear and distinct ideas, nor

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anything more than forms of speech and words to pronounce.

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With the same intent, he enters into an argument to prove that the religion of Jesus Christ is nothing more than Platonism revived, and altered—not always for the better. This, he contends, was the established philosophy among the Jews before the coming of Christ, and much more so among the Christians afterwards. He is astonished to consider how fond the Christians were, in the first ages of the church, to believe and to make others believe that the mysteries of their religion had been revealed by the writings of the Pagan philosophers many centuries before they were so by the preaching of Christ and his apostles. To support this opinion, he declares, they scrupled not the commission of many pious frauds; and the forgeries which were committed under the names of Mercurius Trismegistus, Hystaspes, and the Sibyls, are evidences of their zeal and industry in its support. He thinks, however, that these were supererogatory, while the works of Plato, writings which are indisputably his, were before the public.* These formed an ample and sufficient repertory of theological fables and symbols, and of metaphysical mysteries; and from this rich mine, he plainly infers, if he does not openly declare, the ore was dug which was fashioned chiefly by the hands of Paul into the Christian religion as it now exists. †

* Vol. iv. p. 341.

† Ibid. p. 394, 395.

Plato however, to whom he thus assigns the honour of the invention of the original elements of that religion, of which he has soon after without qualification declared, that "supposing it to be a human invention, it had been the most amiable and most useful invention that was ever imposed on mankind for their good," was no great favourite with Bolingbroke. When we find that philosopher more than insinuated to have been the original inventor of the elements of Christianity; and in another place spoken of as the founder of a system so closely similar to the Christian, that they are described as having that near resemblance *qualis decet esse sororum;* we should expect to find, that he who admired one of the sister systems so much, would have been profuse in eulogy upon the author of the other. If we are not expecting to hear Bolingbroke declare with the enthusiasm of Cicero, that he had rather follow Plato into error than any other master to truth, we expect at least from him that he should express a warm admiration of his wisdom and his philosophy. We are astounded when we find that in his estimation "he was only a mad theologist;" that "he introduced a false light into philosophy, and oftener led men out of the way of truth than into it:" that "no man ever dreamed so wildly as Plato wrote."

But while we are lost in wonder at the object of the essayist in speaking thus disrespectfully of a philosopher whose works he allows to be so wonderful—who, he says, erected a sister system to that which

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was the most amiable and useful invention that was ever imposed on mankind for their good,—a philosopher who, without the opposite hyperbole with which it has suited our author to treat his works, was really venerated by the ancients, is admired by the moderns, and will be read as long as the beauty of his language can be appreciated, or the excellence of his philosophy can be felt;—while we are wondering at the strangeness of this attack, we are roused by the mercurial activity with which our author starts from the position which he has thus gained—suddenly connects the Greek philosopher and the founder of Christianity in the same category—assumes that if one was inspired so also was the other,—and then turns round with a sneer and asks, in words too coarse for us to copy, whether a man whose passion for courtesans inspired him to write so many lewd verses was likely to be inspired by the Holy Ghost.

These almost inconceivable inconsistencies render it impossible to give any comprehensive view of the line of argument which Bolingbroke takes to effect the object he has in view, or even to state with any precision what that object is. What is admitted in one page, is denied in the next; what is seriously insisted upon as undeniably true in one section, is rejected as absolutely false in another. Yet this is the manner in which he fulfilled the boast he had made to Swift, that he was about to strip metaphysics of all their bombast, keep within the sight of every

well-constituted eye, and never bewilder himself while he endeavoured to guide the reason of others.* There is no end which can be mentioned as the ultimate object of his argument, which could not be denied to be so upon the evidences of many unequivocal passages which may be produced from his essays. It would not be even difficult from such a source to obtain evidence that the sole object of his labours was the establishment of Christianity, purged only from the corruptions which time has introduced. The general tendency of the majority of his positions alone justifies us in concluding, what all have consented was his undoubted object,—the utter overthrow of all revealed religion, and the establishment in its place of natural religion methodized according to a system of his own.

In adducing these objections to the Christian religion from the work we are now examining, we have not pretended to offer an epitome of Bolingbroke's arguments, or to render an account of the positions which are assumed and defended throughout the three quarto volumes in which these essays are contained. Our object has been only to furnish a few specimens of the degree of talent he displayed in conducting the cause he had undertaken; and we have generally selected those topics with which he himself appeared most satisfied.

It would have been impertinent to the object of this work to enter into a detailed refutation of the

* Pope's Works, vol. ix. p. 258.

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arguments and objections which our author has advanced and we have quoted. But in stating those objections, and in reviewing those arguments, it has been impossible to avoid remarking upon the manifest absurdity of some, and the often-exposed fallacy of others.

The result has been unfavourable to the fame of Bolingbroke, unfavourable not only to his judgment, but to his talent as a writer. The objections which he adduces are old and hackneyed; the form in which he clothes them, although shining, is not so forcible as his reputation had led men to expect. There is none of that clearness of perception and masculine force perceptible in these argumentative essays which are so apparent in his other works. He appears, almost before he has passed the threshold, to be bewildered in the maze into which he is stepping; and while he applies himself sedulously to weave single combinations of sophistry and assumption, he does not allow himself time to examine whether the materials of which they are formed are not in many instances mutually repugnant, and whether they will not therefore, when congested into a mass, neutralize the force and destroy the efficacy of each other.

To such mischances he was perhaps peculiarly liable from the perplexed nature of his subject, and the desultory character of the form of composition in which he wrote. But Bolingbroke has succeeded no better than, and is even inferior in ingenuity to,

several others who have attacked the impregnable fortress of our faith. They, like Bolingbroke, have removed not a stone from the fabric, but were defeated even by the recoil of their own blows. But the able leader receives the more honour from his opponents than one who affords an easy victory: we can sometimes admire the talent which directs the attack, even while we abhor the principles which suggest it.

Bolingbroke's attacks upon Christianity have hardly this equivocal title to our respect: they were enforced rather by their author's authority than his arguments, and derived their importance rather from the talent which he was admitted to possess than that which they displayed.

CHAPTER X.

An Examination of Bolingbroke's Philosophical Works, continued. —His own System.— The Immortality of the Soul.

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WE have selected some specimens from the objections by which Bolingbroke proposed to remove Christianity. Let us now attempt to discover the nature of the system he proposed to raise in its stead.

The systems of deism are as numerous as there are authors who have transmitted their tenets to posterity; and their conclusions are often as repugnant to each other as they are visionary and uncertain. The light of nature guides the deist with certainty to the knowledge of a Deity, and expires: the region beyond that point is to him all dark and dubious. What wonder then, that in attempting to explore the maze without light or guide, each adventurer should follow an eccentric path?—what wonder, that each should return to the point whence he set out, and declare the only result of his discoveries to be that beyond that nothing certain can be known?

The shame of defeat is commonly disguised by an affectation of modesty; and the humbled dependant

upon reason is ready to retort the charge of blasphemy with which he himself is so often followed. In constructing a religion of his own, he claims for himself the advantage he had denied to others; and the imperfection of man's reason is often the foundation of his scheme. He raises a fabric composed only of mere possibilities; and when his materials are questioned, he has recourse to this imperfection to prove that nothing more can be obtained: like the ancient academicians, each is powerful to destroy, each is impotent to build.

Bolingbroke was bewildered in all the uncertainty of his school. Like his predecessors in the same task, he had brought back from his wanderings in the regions of metaphysics nothing but a cargo of doubts and crudities. The former were confirmed by the contradictions into which he was continually betrayed; the latter were destroyed by the first application of the touchstone of reason.

Among the most important of these doubts was that which involved the immortality of the soul; a truth which Bolingbroke found his reason insufficient to establish, and which he therefore consistently abandoned. Nor is the rejection of this great truth any reproach to the understanding of Bolingbroke. It is a position which the ancient philosophers rather wished to believe than succeeded in proving. In the pursuit of it they were betrayed into a maze of absurdity, through which the most vigorous intellect toiled in vain. Seeing their failures, and possessing

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no other guide than that whose inadequacy they had so fully proved, it argued rather a strength than a weakness of mind in Bolingbroke, that he was able to apply the test he had chosen even to the hope which, of all others, mankind most ardently cherish.

Whether the idea of the soul's immortality was a remnant of original revelation which had been imperfectly preserved amid the corruption or loss of every other principle of religion, or whether it was suggested by the abhorrence which humanity has always felt to the idea of absolute annihilation, is a question which has been disputed with little success. Whatever its origin, it is a problem which has employed the strenuous exertion of the mightiest of all uninspired minds. It has been followed with indefatigable industry, and traced through every difficulty.

But whether the uncertain testimony of tradition or the inward workings of the mind suggested the conclusion, it was the latter which pointed out the path which was pursued in order to demonstrate its truth. The powers of thought and volition were so utterly unaccountable—so entirely without analogy in the material creation around — so incomprehensible to the senses, that reflection could only teach men to infer that the soul, which was composed of them, must be of a nature altogether different from everything subject to the observation of the senses. When they learned that there was an existence imperceptible to sense, they might argue from its immaterial nature some of its probable properties.

The absolute creation of anything from nothing was an idea that to the ancients appeared so absurd, that the first principle of their philosophy was a denial of its possibility. The partiality of the moderns, who have derived a contrary idea from the declaration of revelation and the omnipotence of the Deity, has attempted in vain to disprove this fact; and Plato has been sometimes praised for making an admission which he has plainly and positively denied. Perhaps Aristotle is the philosopher who has stated this dogma most distinctly. He says, speaking of Empedocles, that that philosopher agreed with all others in admitting, that it is impossible that anything can come from nothing, or can perish into nothing.

This maxim is certainly in accordance with all our experience. Matter we see decomposed, but never annihilated: the parts are separated, but they are still in existence; they enter into new combinations and form a new whole, but their individual existence has never been for a moment suspended.

Since, then, annihilation was held to be impossible, and since the destruction of material bodies was found to be occasioned only by the dissolution of their parts, the indivisible parts of matter were eternal and unchangeable. This was indeed a conclusion which experience could never verify, because the point of indivisibility was admitted to be unattainable by the senses; but it was a conclusion necessarily resulting from the premises which observation supplied.

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As nothing was considered to be subject to annihilation, and nothing indivisible subject to change, and as every being composed of discordant* parts must be formed of matter; whatever is immaterial must be without discordant parts, and consequently unchangeable, and thence consequently eternal.

Such was the reasoning by which the soul's immortality was concluded by the ancients;—a chain of reasoning entirely resting upon these four assumptions: 1. that annihilation is impossible; 2. that nothing but that which consists of discordant parts can change; 3. that nothing which is not material consists of discordant parts; and 4. that the soul is not material.

But for the sake of establishing the conclusion, they had been obliged to encumber themselves with assumptions which could not be thrown aside when their office was performed. The dictum that nothing could be made to perish into nothing, involved also the further dictum that nothing could be created out of nothing; and this rendered necessary the embarrassing doctrine of the eternal pre-existence of the soul. When this was admitted, its immateriality and consequent unchangeableness rendered

* By discordant parts are meant parts of different qualities, which, by their action upon one another in combination, form a substance differing from each. A substance consisting of parts, all having the same qualities, would suffer by their separation no alteration except a diminution in bulk. Thus the ancients do not offend against their own definition, when they make the soul a *part* of the Deity.

it necessary to allow that the condition of its existence was unaltered; and the reasoners now found that their premises carried them much farther than they had any disposition to follow them.

To determine the sphere of the soul's former existence was difficult, and many vain attempts were made to discover a plausible solution of the question. The best was that to which nearly all the philosophers afterwards acceded. The soul was a part of the Deity, temporarily separated and confined within the body, but about to rejoin the parent mass at the dissolution of its material prison. It was compared to a portion of sea-water enclosed within a vessel which floated upon the sea: while the vessel continued whole, the water was separated; immediately it burst, it was mingled again with the ocean.

But this necessary hypothesis was the occasion of the most absurd consequences. As immaterial being is unchangeable and contains no discordant parts, the soul must be the same as the mass from which it was detached: as this mass was the Deity, the Deity must be a partaker of all the passions and infirmities which sully the purity of the human soul. A consequence which the ancients, who had many of them very exalted ideas of the divine perfection, could by no means admit, yet knew not how to avoid.

The best attempts to overcome this difficulty were unsatisfactory; many of them were highly

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ludicrous. Those philosophers were consistent with themselves who made the soul to return to the Deity immediately upon its separation from the body: but Plato is not so, when he insists upon a previous purgation; nor is Pythagoras, when he makes it previously perform transmigration through the bodies of the inferior animals. This transmigration is also (at least partly) for the purpose of purification, and to obviate the objection to an imperfect soul becoming part of perfection. But without staying to examine the efficiency of the medium of purification which these philosophers have adopted, we may object, that the very supposition that the soul can require, or is capable of purification, destroys the argument by which its essential immortality had been proved; and in assuming that it is capable of corruption and of change, admits that it is capable of dissolution.

The system of Pythagoras was intended also to remedy another objection to the ancient method of demonstration. If the soul was a part of the Deity, of course the doctrine of future rewards and punishments must be abandoned, and in its destruction would be involved that of the strongest bond which restrains the passions of men. The transmutation through the bodies of inferior animals was at once a course of purification and punishment; an abortive contrivance, which, called into being to palliate the absurdities consequent upon the admissions which the ancients were obliged to make in order to prove

the soul's immortality, like those admissions, exceeded its intended office, and destroys not only the absurdity, but also the original position, which was the very base of the fabric it was required to secure.

If the soul was unchangeable and was part of the Deity, the perfection of the Deity and the doctrine of future rewards and punishments were to be abandoned.—If it was not a part of the Deity, how account for its pre-existence? And if it was not pre-existent, how demonstrate its immortality?

These difficulties are not always remembered by those who, drawing their own belief in the immortality of the soul from the light of revelation, are apt to conclude that it is a naturally self-evident and demonstrable fact, and that even those who reject revelation are unpardonable in refusing their assent to this. But the contrary is rather the fact; and that man is more consistent with himself who denies revelation and immortality, than he who admits the one and denies the other.

The objections which embarrassed the theist* still embarrass the infidel. The identity of the soul with the Deity few are absurd enough to assert, but they cannot admit the idea of an absolute creation,† and

* Controversial writers usually term those Theists who were ignorant of a revelation, and those Deists, who have rejected it;—a distinction entirely arbitrary.

† We have seen that such an admission would destroy the chain of argument by which alone they can prove the soul's immortality.

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without that the pre-existence of the soul is a necessary concomitant to its immortality. Under these circumstances, they destroy the ancient demonstration, by denying its fundamental proposition: they deny that the soul is immaterial, and thus at once rid themselves of the argument.

Such was the refuge of Bolingbroke. He has taken vast pains to prove that the arguments for the immateriality of the soul are unsound; but when he comes to propound his own theory, he flies from the regions of metaphysics, in which he had called upon his opponents to contend, and entrenches himself behind the omnipotence of the Deity. His solution of the problem was, that thinking is a faculty added by the Creator to certain systems of matter; an opinion which he declares to be conformable to all the phenomena of the mind.* "An argument fairly drawn from the power of God," he says, "will determine me at any time and on any occasion; though it does not determine these men who insist so much upon it, when they hope to make it serve their purpose by an unfair application of it. I am persuaded that God can make material systems capable of thought, not only because I must renounce one of the kinds of knowledge that he has given me, and the first, though not the principal in the order of knowing, or admit that he has done so; but because the original principles and many of the properties of matter being alike unknown to me,

* Vol. iii. p. 158.

he has not shown to me that it implies any contradiction to assert a material thinking substance." *

Such was the doctrine of Bolingbroke with respect to the nature of the soul; a doctrine which at once destroyed all hope of a future state, and which was consequently the most dangerous that can be promulgated among men. His argument rested upon the two plausible propositions, that we are not acquainted with all the properties of matter, and that it is a blasphemous denial of the omnipotence of the Deity, to question his power to impart to it a thinking quality.

This argument seems addressed rather to the reasoning of Locke, which was upon this point superficial, than to that of Clarke and Baxter,† which was laboured and profound. The latter of these two gigantic theologians has given a most successful demonstration of the immateriality of the soul, drawn from the principles of the Newtonian philosophy.

* Vol. iii. p. 532.

† Baxter's elaborate work on the immateriality of the soul is called "An Enquiry into the Nature of the Human Soul." The subscription copy, from which I quote, has no date, but it was probably published about the year 1726. The Appendix was not indeed published until the year 1750; but that was occasioned by a formidable attack upon his position of the *vis inertiæ* of matter, made by Mr. Colin Maclaurin in his "Account of Sir Isaac Newton's Philosophical Discoveries," and was not projected when the original work was written. This is Mr. *Andrew* Baxter. There is a retailer of ghost stories, who has brought all his hobgoblin lore to bear upon the same subject, bearing the same surname.

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He argues that the soul is not matter, not because he knew all the qualities of matter, but because the qualities of the soul are inconsistent with and contradictory to those qualities of matter which he did know. His argument rests not upon any supposed limitation of the power of Omnipotence, but only upon the presumption that God can exert no power which implies a contradiction;—a proposition which appears self-evident, since such repugnant acts of power would be indeed impotency. These arguments, which had been given to the world before Bolingbroke wrote, he takes little notice of except to designate as blasphemous and presumptuous;—an easy and convenient common-place which he frequently used to escape from difficulties which he could not overcome.

The certainty of the demonstration of Baxter does not at all prove that the soul's immortality was a truth apparent to mankind without the aid of revelation; and its admission by Bolingbroke would have involved him in endless absurdities. His most prudent plan as an architect of a new system was doggedly to reject it; and so he did. The Christian was right to bring all the power of his metaphysical learning to bear upon this point; for, when this was gained, instead of following the track and attempting to account for the fact he had proved, he recurred to revelation, and answered all ulterior inquiries from the language of inspiration. Without this resource he must have wandered, as his predecessors

among the ancients had done, in search of some plausible scheme in which no contradiction would be involved; and there is little danger in asserting that, like them, he would have been unsuccessful.

Thus much upon the difficulties which Bolingbroke encountered in his metaphysical inquiries into the nature of the human soul, and thus much for the expedient by which he attempted to overcome them.

There was, indeed, another method of proving the immortality of the soul, without the aid of metaphysics. This was also known to the ancients; but as it proceeded upon propositions which they considered as less indubitably established, and as the conclusion was only a strong probability instead of an essential necessity, it was not so generally adopted. Socrates, whose reason conducted him nearer to the truth than any other unassisted man could reach, adopted and was contented with it. That teacher confined his speculations to the subject of morals, and the metaphysical objections which his illustrious disciples would have raised were to him unknown or unheeded. He had formed an idea of the Deity as near to perfection as the human imagination can attain; and justice was, in his view, one of his necessary attributes. He looked throughout creation, therefore, for proof to establish his hypothesis—to discover virtue triumphant and vice degraded. The contrary however, was too often the case; and he found that if he drew his inference from this life only, the Deity

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was unjust. This conclusion he deemed impossible; and to avoid it, he was necessarily driven to the supposition of a future state of rewards and punishments; —a topic of consolation and a bond of restraint which reason had pointed out to ordinary minds, but which philosophy had never been able to verify. From the perfection of the Deity, therefore, he inferred a future state; and a future state involved a separate existence of the soul. If the soul could exist separately, it was probably immortal; and from the beneficence of the Deity, he might with some plausibility infer that his rewards were eternal.

This argument is still adopted by Christians in arguing with deists. But with Bolingbroke it had no force: unlike most of his fraternity, he was more able in defence than attack. If there was little novelty in his objections to Christianity, there was much prudence shown in his choice of the tenets he avowed in its stead.

CHAPTER XI.

Bolingbroke's Philosophical Works, continued.—His own System. —The Moral Attributes of the Deity.—"Whatever is, is right." —Summary of Bolingbroke's System.

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NEARLY all the deistical writers who preceded Bolingbroke distinctly avowed and strongly insisted upon the perfection of the Deity. His power and wisdom were the subjects of observation, and were therefore self-evident; but his moral attributes—such as justice, beneficence, and virtue—were equally acknowledged, and they judged them by the highest standard which the human mind can conceive. To them, therefore, the argument for a future state drawn from this perfection was applicable; and they were placed in the dilemma of denying that perfection, or of admitting a separate existence of the soul, and a doctrine of future rewards and punishments, which their reason could by no metaphysical arguments account for or even reconcile.

Bolingbroke saw the difficulty, and chose rather to abandon the moral attributes than to admit the utter incapacity of reason to decide at all upon the question. In confessing himself unable to form an idea of the attributes of the Deity, he did not how-

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ever, as has been absurdly objected against him, abandon his infinite goodness. Let us hear his own remarks upon this subject.*

"Though I think that the moral attributes of the Supreme Being are absorbed, as I expressed myself before, in his wisdom; that we should consider them only as different modifications of this physical attribute, whatever idea we may frame on the phenomena, and that we must always talk precariously and impertinently when we presume to apply our ideas of them to the appearance of things; yet I think it proper to show the divine and the atheist," (Bolingbroke, with admirable impudence, affects to consider these characters as nearly allied,) "that even the goodness of God is not hard to defend against them both by every one who denies, as every one may most reasonably, the question they beg and grant in consequence of their alliance to one another.

"The wisdom is not so often discernible by us as the power of God, nor the goodness as the wisdom; but a multitude of the phenomena being conformable to our ideas of goodness, we may reason about it as we did just now about the divine wisdom. If our adversaries show that men are exposed to many physical and moral evils, we can show much more good of both kinds that God has bestowed on us, or put it into our power to procure for ourselves.

"It would be easy to confirm and illustrate what

* Vol. v. pp. 335-6.

is advanced in the physical part by numerous and unanswerable proofs which are to be found in the writings of natural philosophers. It is impossible to read with attention and without prejudice what the former have writ, and not be convinced by fact, and by reason grounded on fact, not on hypothesis,—first, that we ought to consider the world we inhabit no otherwise than as a little wheel in our social system; nor our solar system any otherwise than as a little but larger wheel in the immense machine of the universe, and both the one and the other necessary perhaps to the motion of the whole, and to the pre-ordained revolutions in it: nor without being convinced, secondly, that the wisdom — or if you had rather say so, the goodness — of God has provided amply for the well-being of man in this world, and of the whole animal kind, who are objects of the divine care as well as he, according to their various destinations."

The atheist and the divine, it is true, employ the same fact in prosecuting their several arguments. The atheist argues from the unequal distribution of happiness and misfortune, and the want of an universal concomitancy between virtue and happiness, and vice and misery, the absence of a ruling Providence. The divine argues from the same fact—the certainty of a future state. Bolingbroke disagrees with them both, and denies their common premiss. If he does not absolutely deny that such inequalities exist,— for it would be difficult to argue against the

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evidence of the senses—he denies the inference which both his opponents draw from it—that the fact unremedied is inconsistent with the justice of the Deity.

His objection to this inference is, that we have no commensurate idea of the justice of the Deity, and cannot therefore tell that such a dispensation is contrary to his justice. He argues that it is rather to be inferred, since we see it affected, that it is consonant to his nature and his perfections. "Of divine goodness and divine justice I am unable," he says, "to frame any adequate notions; and instead of conceiving such distinct moral attributes in the Supreme Being, we ought perhaps to conceive nothing more than this,—that there are various applications of one eternal reason, which it becomes us little to analyze into attributes."*

Having thus thrown an impenetrable veil over the perfections of the Deity, and declared that, although we know that he is perfect, we know not whether justice, according to our human idea of that attribute, forms part of his nature, he feels himself secure against any *à priori* argument which can be brought to prove the certainty of a future state.

From the perfection of the Deity he allows us however to draw one conclusion, for which we should apparently require the attribute of benevolence, and that too in accordance with our human acceptation of the term. This is the principle which he had before conveyed in the numbers of Pope, that

* Vol. iv. p. 117.

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'whatever is, is best;' a sentiment hardly reconcilable with his rejection of the doctrine of a particular providence. "God has given to his human creatures the materials of physical and moral happiness, if I may say so, in the physical and moral constitution of things. He has given them faculties and powers necessary to collect and apply these materials, and to carry on the work of which Reason is the architect, as far as these materials, these faculties, these powers, and the skill of this architect admit. This the Creator has done for us. What we shall do for ourselves, he has left to the freedom of our elections; for free-will seems so essential to rational beings, that I presume we cannot conceive any such to be without it, though we easily conceive them restrained in the execution of what they will. This plan is that of divine wisdom; and, whatever our imaginations may suggest, we know nothing more particular; and, indeed, nothing at all more of the constitution and order of the human system, nor of the dispensations of Providence, than this.*"

The doctrine of optimism he uses to oppose the argument his opponents drew from the acknowledged inequality in the distribution of moral good and evil. The strange and indefinite manner in which he denied the moral attributes, while still retaining the perfection of the Deity, required some such aid as this. He accordingly insists upon the dogma, that 'whatever is, is best;' a dogma which he does not

* Vol. v. p. 474.

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even attempt to support by argument, or to demonstrate by proof: and thus we find this grand champion of the full sufficiency of human reason, obliged to adopt, as the key-stone of his system, a principle which is not only incapable of demonstration by that reason, but is, even as he understood it, contrary to its experience.

Such then was the religious system of Bolingbroke. A God omnipotent and all perfect, but inconceivable in his omnipotence and incomprehensible in his perfections: exerting his power in no single acts of particular providence, and demonstrating his perfection by no exhibition of its constituent attributes. A God so carefully shrouded from the apprehension of the human mind, that, while we blindly admit that he is omnipotent and perfect, we are unable to conceive on what his omnipotence is exerted, or what his perfection may prompt him to do or to approve.

A body he allows us thinking and acting from the influence of thought; but owing that power only to a material quality, which increases with its strength, grows mature at its maturity, declines with its decrepitude, and becomes extinct at its dissolution.

No future state, no hope or fear of future reward or punishment, enter into this scheme: virtue is its own reward, vice its own punishment. The relations of things secure this end, and reason was given to man that he might see virtue his true interest and pursue it. This is his only restraining bond; he requires none other, and he has none.

This system of Bolingbroke's is the most consistent which a deist has ever constructed. It is the offspring of a mind habituated to urge and to provide against objections. It has been found less easy to be assailed than any other which has preceded or succeeded it; and while his adversaries have found little difficulty in repelling his attacks upon Christianity, they have been disappointed in their expectations of finding frequent absurdities in that he wished to replace it with.

It is upon this point that the defenders of Christianity are usually especially triumphant: so crude and inconsistent are the majority of the theories of its assailants, that they are not at a loss for opportunities of retorting all the sneers and sarcasms which have been levelled against themselves; and they can indulge that irony here which reverence restrains them from using in the other part of the argument.

But the First Philosophy, as Bolingbroke has named his theory, (after those of the ancient philosophers, which they frequently called by that epithet,) was constructed upon a more maturely considered plan. It consisted, in fact, of nothing more than the residue which remained after rejecting every opinion, the holding of which would embarrass the sceptic in arguing with the Christian. Every outwork which could afford a lodgment to the enemy; every post which could be made to overlook his citadel, was abandoned and destroyed, and the leader withdrew into a fortress, circumscribed indeed in its

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limits, but which was much more defensible with his slender garrison than if it had been more extended.

Thus the immortality of the soul was abandoned, because he found his reason insufficient to account for its immortality, and the admission of that fact might have argued a necessity for an express revelation. The immateriality of the soul was denied, to avoid an admission of its immortality; and the moral attributes of God were rejected for the same reason. His system was entirely constructed with a view to its defence: had more been retained, his object could not have been effected. As it at present exists, it is a masterpiece of its kind, and a monument of the misapplied ingenuity of its architect.

Nothing can more forcibly exhibit the utter inadequacy of the human mind to form any rational system of religion, than this essay of the most consistent deist who has ever made the attempt. To avoid inconsistency, he has been obliged to surrender every hope which can raise his species above the grade of a mere animal; and while speciously affecting to exalt man's reason, he has in effect degraded it to a mere evanescent material quality, superior only in degree to the instinct of the inferior orders of the creation.

Nor is the degradation of man from his rank as an immortal being the only consequence of the rejection of revelation: the destruction of his social happiness is another direct consequent. In the destruc-

tion of all expectation of a future state, Bolingbroke included that of the only bond which can preserve society or render human laws effectual; and he established in its place a fanciful incentive to virtue which never had, and never will have any influence with the majority of mankind. Even this shadowy restraint loses what little efficacy it possessed, when, by his speculations concerning the moral attributes of the Deity, he destroys all the well-marked boundaries of virtue and vice, and by throwing a doubt upon what the incomprehensible perfection of the Deity will approve or censure, renders it uncertain how his rule is to be applied.

These were the natural tendencies of Bolingbroke's First Philosophy; and such or similar must be the effects of every system of deism which is consistent in itself. Its principles have now been explained, and its defects exposed; but while we smile at the partiality which could prefer such a cold and hopeless scheme to the realities of revelation, we must admire the cautious ingenuity which, having rejected the one, could so consistently construct the other.

CHAPTER XII.

Walpole's Attack upon Bolingbroke in the House of Commons.—Bolingbroke retires to France.—His Letters on History.

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We have now given an account of the literary labours of Bolingbroke during his ten years' retirement at Dawley, and we have pointed out the great inequality which exists between his political and his speculative writings. It has been before stated, that the conduct of Pulteney and his friends disgusted him with the coalition party which he had joined, and that he had determined again to retire into France. This resolution he put in practice about January 1735, retiring with his wife to a retreat called Chantelou, near Fontainebleau, where he intended to pass the remainder of his days.

This departure of the great leader of the opposition did not pass without comment. The satellites of the ministry celebrated it as a triumph, and their opponents mourned it as a misfortune. Among the absurd reports which the insolence of party could propagate and its credulity receive, was one that he was driven abroad by an attack made upon him by Sir Robert Walpole in the house of commons. Mr.

Coxe, glad at any price to obtain such a triumph for his hero, has adopted this version of the story, and has exhibited the degraded peer flying in abandoned confusion before the thunder of his rival's eloquence.

We are fortunately enabled to judge of the speech which is said to have had this wonderful effect upon the veteran controversialist. It occurred in a debate upon a motion for the repeal of the septennial bill; a motion which was advocated in a speech of great eloquence and unanswerable reasoning by Sir William Windham. Sir William had hypothetically represented Walpole as a minister who governed solely by corruption, and who owed his safety only to his skill in proportioning his bribes to the influence of the members of the legislature. Sir Robert's answer commenced with a similar description of Bolingbroke, and is thus reported by Mr. Coxe:

"Sir, I do assure you I did not intend to have troubled you in this debate; but such incidents now generally happen towards the end of our debates, nothing at all relating to the subject, and gentlemen make such suppositions, meaning some person, or perhaps, as they say, no person now in being, and talk so much of wicked ministers, domineering ministers, ministers pluming themselves in defiances; which terms and the like have been of late so much made use of in this house, that if they really mean nobody either in the house or out of it, yet it must be supposed they at least mean to call upon some gentleman in this house to make them a reply; and

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therefore I hope I may be allowed to draw a picture in my turn; and I may likewise say, that I do not mean to give a description of any particular person now in being. When gentlemen talk of ministers abandoned to all sense of virtue or honour, other gentlemen may, I am sure, with equal justice, and I think more justly, speak of anti-ministers and mock patriots, who never had either virtue or honour, but in the whole course of their opposition are actuated only by motives of envy and of resentment against those who have disappointed them in their views, or may not perhaps have complied with all their desires.

"But now, sir, let me too suppose,—and the house being cleared, I am sure no person that hears me can come within the description of the person I am to suppose. Let us suppose, in this or in some other unfortunate country, an anti-minister who thinks himself a person of so great and extensive parts, and of so many eminent qualifications, that he looks upon himself as the only person in the kingdom capable to conduct the public affairs of the nation, and therefore christening every other gentleman who has the honour to be employed in the administration by the name of blunderer. Suppose this fine gentleman lucky enough to have gained over to his party some persons really of fine parts, of ancient families and of great fortunes, and others of desperate views arising from disappointed and malicious hearts; all these gentlemen, with respect to their political be-

haviour, moved by him and by him solely—all they say, either in private or public, being only a repetition of the words he has put into their mouths, and a spitting out that venom which he has infused into them; and yet we may suppose this leader not really liked by any even of those who so blindly follow him, and hated by all the rest of mankind. We will suppose this anti-minister to be in a country where he really ought not to be, and where he could not have been but by an effect of too much goodness and mercy; yet endeavouring with all his might and all his art to destroy the fountain from whence that mercy flowed. In that country let us suppose him continually contracting friendships and familiarities with the ambassadors of those princes who, at the time, happen to be most at enmity with his own: and if at any time it should happen to be for the interest of any of those foreign ministers to have a secret divulged to them which might be highly prejudicial to his native country, as well as to all its friends—I suppose this foreign minister applying to him and he answering, 'I will get it you; tell me but what you want, I will endeavour to procure it for you.' Upon this he puts a speech or two in the mouths of some of his creatures, or some of his new converts: what he wants is moved for in parliament; and when so reasonable a request as this is refused, suppose him, and his creatures and tools by his advice, spreading the alarm over the whole nation, and crying out 'Gentlemen, our country is at present

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involved in many dangerous difficulties, all which we would have extricated you from, but a wicked minister and a corrupt majority refused us the proper materials; and upon this scandalous victory this minister became so insolent as to plume himself in defiances.' Let us further suppose this anti-minister to have travelled, and at every court where he was thinking himself the greatest minister, and making it his trade to betray the secrets of every master he ever served. I could carry my suppositions a great deal further, and I may say I mean no person now in being; but if we can suppose such a one, can there be imagined a greater disgrace to human nature than such a wretch as this?" *

This was the dreadful speech which drove Bolingbroke out of the country. If such was the case, he proved himself much more sensitive in this instance than he did at any other period of his life. This attack is nothing more than one of those pieces of virulent abuse which the minister took every opportunity of launching against him, and which he received with indifference and returned with redoubled effect. The charge of intriguing with foreign ambassadors was perhaps well founded; but there was nothing very shocking or even very novel in the accusation: such a practice had long been a mere ordinary engine of opposition, and had been used by Walpole himself and his party to an unexampled extent when their object was to delay and embar-

* Coxe's Walpole, vol. i. p. 420.

rass the negotiations for the treaty of Utrecht. The remainder of the speech, so far from being calculated to drive its object into exile, however it might affect his coadjutors, was in reality the highest compliment which a political leader could receive. It represented him as the very oracle of his party — the source whence they drew not only the plan of all their conduct, but also the varied eloquence by which that conduct was to be supported: it depicted him as exerting this unbounded influence by the sole weight of his superior talents, unassisted by any adventitious aid from rank or fortune. Its bitterness betrayed that the party of which he was the soul was powerful and formidable; and the hatred it evinced discovered that the incompatible feeling of contempt which it affected was unreal and assumed. Such was the speech which Mr. Coxe has chosen to exhibit as the weapon of Bolingbroke's political death.

Other rumours were circulated with regard to his ulterior intentions. It was known that he had left England in disgust, and it was surmised that he had left it with the intention of rejoining the Pretender. Even some of his friends gave credit to this supposition, and Swift did not hesitate to state publicly that he believed it to be a fact. Pope, however, judged more favourably and more justly of his friend, and sharply reproved the dean for his unfounded assertion.*

* Pope to Swift. Pope's Works, vol. ix.

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Nothing was farther from Bolingbroke's intentions than to embarrass himself again with a man for whom he felt neither esteem nor interest. His intentions were solely those which he represented them to be, and there was no mystery in his journey save that which was generated by the speculations of the newspaper writers. The declining state of his lady was one reason of his removal—the quarrel with his party was another. The hope of recovering her health probably influenced his choice of a residence; and in fixing it in her native country, and near her friends, he promised himself the attainment of that object and the enjoyment of an uninterrupted literary leisure.

He was not long in his new retirement before he began to convince his friends that his leisure was not idleness. In the succeeding year, Pope informs Swift that he has seen some of his writings which he had composed in France. "Nothing," says he who knew him best and admired him most, "can depress his genius: whatever befals him, he will still be the greatest man in the world, either in his own time or with posterity."

The work to which Pope thus alludes was probably some portion of his Letters on the Study of History, which were commenced soon after his arrival in France. They were addressed to Lord Cornbury, afterwards Lord Hyde, and contain a masterly account of the true uses of historical research.

Bolingbroke has in this work classed the readers of history; and he has remarked upon the utility of their several objects with some severity, but with much justice. "The motives that carry men to the study of history are different. Some intend, if such as they may be said to study, nothing more than amusement; and read the life of Aristides or Phocion, of Epaminondas or Scipio, Alexander or Cæsar, just as they play a game at cards, or as they would read the story of the Seven Champions.

"Others there are, whose motive to this study is nothing better, and who have the further disadvantage of becoming a nuisance very often to society in proportion to the progress they make. The former do not improve their reading to any good purpose; the latter pervert it to a very bad one, and grow in impertinence as they increase in learning. I think I have known more of the first kind in England, and of the last in France. The persons I mean are those who read to talk, to shine in conversation, and to impose in company; who having few ideas to vend of their own growth, store their minds with crude unruminated facts and sentences, and hope to supply by bare memory the want of imagination and judgment.

"But these are in the two lowest forms. The next I shall mention are in one a little higher; in the form of those who grow neither wiser nor better by study themselves, but who enable others to study

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with greater ease, and to purposes more useful; who make fair copies of foul manuscripts, give the signification of hard words, and take a great deal of other grammatical pains. These," says his lordship, "deserve encouragement, while they continue to compile, and neither affect wit nor presume to reason.

"There is a fourth class, of much less use than these, but of much greater name; men of the first rank in learning, and to whom the whole tribe of scholars bow with reverence. A man must be as indifferent as I am to common censure or approbation, to avow a thorough contempt for the whole business of these learned lives—for all the researches into antiquity, for all the systems of chronology and history, that we owe to the immense labours of a Scaliger, a Bochart, a Petavius, an Usher, and even a Marsham. The same materials are common to them all; but their materials are few, and there is a moral impossibility that they should ever have more. They have combined these into every form that can be given to them; they have supposed, they have guessed, they have joined disjointed passages of different authors, and broken traditions of uncertain originals, of various people, and of centuries remote from one another as well as from ours;—in short, that they might leave no liberty untaken, even a wild fantastical similitude of sounds has served to prop up a system. As the materials they have are few, so are the very best, and such as pass for authentic,

extremely precarious, as some of these learned persons themselves confess."*

Having thus taught us what is not the true use of history, he proceeds to determine what is. The true and proper object of this study, he declares, is to make better men and better citizens; and he agrees with Tillotson in pronouncing that every study which does not tend directly or indirectly to this effect is at best but a specious and ingenious sort of idleness, and the knowledge we acquire by it a creditable kind of ignorance.

"History," says Bolingbroke, "is Philosophy teaching by example." But he does not, like some writers, make her the sole teacher of philosophy, nor the only exemplifier of virtue. The school of example he declares to be the world, and the masters of this school are History and Experience; but he is far from placing the former above the latter, justly inclining to award the pre-eminence to Experience.

The history of former times, added to a thorough experience of the present, and this knowledge irradiated by genius, our author considers sufficient to render the man who combines the three qualities an honour to his country and a public blessing. The words here used must be taken in a very enlarged sense, in order to render the sentiment correct. Knowledge and genius must be tempered by judgment and virtue—at least political virtue, which is patriotism — in order to render their possessors a

* Letter I.

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public blessing. But in defining the true use of history to be a constant improvement in private and in public virtue, Bolingbroke appears to have assumed such an improvement in the attainment of the knowledge which he describes as so essential. Whether this assumption is not greater than experience will allow us to grant, may well be questioned.

Bolingbroke is severe in his examinations of the early records of history, and rejects without hesitation much that we are accustomed to receive with implicit credit. But to this approximation to Pyrrhonism in history he has been evidently tempted in order that he might frame rules of criticism sufficiently severe to reach the books of the Old Testament. The whole of his remarks upon the authenticity of the sacred writings is a mere digression—a digression remarkable neither for the propriety of its object nor the strength of its execution. Impertinent in itself, it becomes doubly so by its tendency and its matter: it is long and tedious, and the author tries in vain to disguise its sterility of argument by the graces of style. The only legitimate object which an author upon the study of history could have in pointing out different historical works and criticising their contents, must have been to place before his readers those which were worthy of his perusal, and to teach him to reject, and to give valid reasons for rejecting those which were not. This was an object far too laborious to fall within Bolingbroke's plan, and criticisms upon particular histories were therefore

partial and impertinent. Even had he pursued this object throughout, we could say little for the writer upon historical studies who should advise his readers to neglect the sacred books of his nation, with whatever contempt he might himself regard them. To examine with accuracy, we must read with diligence; and the author who forbids the study, must secretly hope that his authority alone will influence the judgment.

He expressly declines the task of pointing out the authors most worthy of perusal in their several provinces, as a pedantic affectation which would lead to a voluminous detail;* and observes, that after having taken a general view of mankind, and of the course of human affairs in different ages and different parts of the world, we ought to confine our historical studies to such histories as have an immediate relation to our professions. The life of man is short; and more, with the necessary attention to his other studies and duties, he cannot accomplish.

The advantage of historical studies in the aid of professional learning is strongly insisted upon and elegantly described. While descanting upon the necessity of history as a help to the study of divinity, he cannot resist the temptation to abuse his old opponents, and accuses them of idleness in the neglect of a study which, to them of all others, is the most necessary. With what propriety this accusation is brought, we may judge when we remember that, of

* Letter V.

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the five laborious critics and commentators whom he has named as the chiefs of that class whose "immense labours," "learned lives," and "researches into antiquity," he has treated with such contempt, three — namely, Bochart, Archbishop Usher, and Petavius (F. Petau) — were ecclesiastics. Modern students will perhaps sympathize with his lordship in his estimation of their ponderous productions; but Bolingbroke is here censuring their idleness, not questioning their judgment.

From the church he passes to the bar, and seems to think that historical knowledge is, or rather was, at as low an ebb among the lawyers as he considered it to be among the clergy. "A lawyer," he says, "now, is nothing more—I speak of ninety-nine in an hundred at least—to use some of Tully's words, *nisi leguleius quidam cautus et acutus, præco actionum, cautor formularum, auceps syllabarum.* But there have been lawyers that were orators, philosophers, historians — there have been Bacons and Clarendons, my lord. There will be none such any more, till in some better age true ambition or the love of fame prevails over avarice, and till men find leisure and encouragement to prepare themselves for the exercise of this profession by climbing up the vantage-ground—so my Lord Bacon calls it — of science, instead of grovelling all their lives below in a mean but gainful application to all the little arts of chicane."

After thus commenting upon the presumed igno-

rance of the two learned professions, he proceeds to extend his remarks to all the members of society, and to speak of history as a necessary mean to prepare men for the discharge of that duty which they owe to their country. This involves a dissertation upon modern history, and the determination of the period whence history becomes subservient to the object proposed. This period is fixed as the end of the fifteenth century, and we have a rapidly but well sketched view of the most striking features in the history of Europe from that time until the commencement of the reign of Queen Anne.

From this point the historical critic is lost in the political advocate. His eighth letter is an elaborate defence of his own ministerial conduct, and is perhaps the best and not even the most partial part of the whole work. The recollection of his misfortune adds an earnest energy to his diction, and the remembrance of his rival calls up all his slumbering animosity. He has no longer leisure to pen polished sarcasms against the clergy, or to labour antithetical allusions to the asserted adulterations of their scriptures,—his mind is engrossed by the memory of the scenes which he has beheld, and of the great events which he has influenced: he is no longer elegant and unimpassioned,—he becomes interested and eloquent.

This defence occupies nearly half the work, and was doubtless the main purpose of the production.

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Through this medium it obtained access, not only to the politician, but also to the student of history and the convert to scepticism; and thus disguised it is read by posterity, while others of his equally able but less attractive apologies are neglected or forgotten.

CHAPTER XIII.

Dr. Warburton's Remarks on the Letters upon History.— Origin of the Hostility between the Doctor and Bolingbroke.— Critiques upon the Letters on History. — The Story of Abgarus.

THE Letters on the Study and Use of History were privately printed and distributed around the author's immediate circle of acquaintance. Pope was possessed of an early copy of the work, which he submitted to the opinion of many of his friends: among these was Dr. Warburton; and this circumstance, according to that celebrated divine,* was the origin of the mutual animosity which ever after subsisted between him and the viscount.

It was impossible that two such characters as Bolingbroke and Warburton could ever be known to each other except as enemies. Bolingbroke was the last man in the world to bow to the imperious dicta of the haughty ecclesiastic; the latter saw in him a superior genius upon whom his violent abuse fell without effect, and who was supported by the public when he laughed at the attack and showered his careless sarcasms upon its author.

* View of Lord Bolingbroke's Philosophy.

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The doctor (he was not yet the bishop) wished to be considered a second Longinus;* Bolingbroke thought him a second Zoïlus; and both were equally in error.

Warburton had probably in a great measure succeeded in detaching Pope from his old friend, and in shaking the implicit confidence with which he had so long received and adopted his sentiments. Some hint of this is contained in the letter Bolingbroke addresses to the poet upon inscribing to him his Essays when completed. This letter evidently

* The strain of adulation in which Warburton suffered himself to be addressed, might be exemplified by almost all the numerous dedications which were inscribed to him while he held the awful sceptre of criticism. Let us take an instance from Hurd's dedication of Horace's Epistle to Augustus. Speaking of Aristotle and Longinus, the dedicator says: "It was not enough in your enlarged view of things to restore either of these models to their original splendour: they were both to be revived; or rather, a new original plan of criticism to be struck out, which should unite the virtues of each of them. This experiment was made on the two greatest of our poets, (Shakspeare and Pope,) and by reflecting all the lights of the imagination on the severest reason, every thing was effected which the warmest admirer of ancient art could promise himself from such a union. BUT YOU WENT FARTHER; by joining to these powers a perfect insight into human nature; and so ennobling the exercise of literary, by the justest moral censure. You have now at length advanced criticism to its full glory." This is very extraordinary nonsense: but as immediately upon the doctor being made bishop of Gloucester, (an occurrence which took place soon after,) Mr. Hurd was advanced to the archdeaconry of that see, we cannot suppose that he disliked what he so liberally rewarded.

alludes to some change which had taken place in Pope's sentiments upon these subjects; and Bolingbroke's angry allusion to the divine in those Essays gives us reason to ascribe to him the honour of having produced that change — an honour which Warburton was by no means backward in claiming.

When Pope asked the opinion of the doctor upon his friend's new work, he concealed the name of the author, and Warburton insinuates that he did not know whose production it was; a circumstance which, if true, speaks little for his critical acumen, but which few will implicitly credit. The style of Bolingbroke is not easily mistaken; and the sentiment, the line of argument upon the Old Testament, the defence of the treaty of Utrecht, and the advocacy of Pope, must have betrayed the author to a man of far less sagacity than Warburton. Probability certainly favours the supposition that he was aware whose work he was reading, and that this knowledge infused even more than usual acerbity into his remarks. That the divine should condemn the sentiments advanced with respect to the authority of the Scriptures was natural; that he should censure them as gratuitous and impertinent was merited; his speaking slightingly of the objections made to them was but just: but when he extended his contempt to the whole work, and considered one sentence of disparagement sufficient to characterise all those letters which did not interfere with the subject of religion, he either betrayed the blind envy

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of an enemy, or culpable ignorance as a critic. It happened unfortunately for the supremacy he affected, that the public were as little influenced by his judgment upon Bolingbroke as they had been by that he had formerly delivered against Pope. The two greatest writers of his age in poetry and politics attained their fame and popularity not only unaided by his praise, but also uninjured by his censure.

Pope was sincerely anxious for the reputation of his friend, and he implicitly confided in the judgment of his new ally. His own good taste also told him that in this instance Warburton was right, and he ran his pen through the whole of the digression on sacred history. He did not stop here: he asked the critic to throw the observations he had made to him into writing; and Warburton consented. We know enough of his manner to be assured, that if he thought he was criticising the work of a nameless author, these observations were not likely to be remarkable for their moderation or mildness: if he knew that the work was Lord Bolingbroke's, he might have secretly exulted in the opportunity of piercing him with an arrow apparently shot at a venture. In either case, his style was not likely to be very conciliatory, and he admits that, among other things, he taxed the writer of the Letters with prevarication.* These remarks were forwarded to Chantelou, and were received by Bolingbroke with the utmost indignation. He considered them to be a piece

* View of Lord Bolingbroke's Philosophy.

of insufferable presumption upon the part of the doctor; and even Pope did not escape some censure, for obtaining an opinion for which Bolingbroke had so little respect, and for communicating it when he himself must have seen that it was partial and insulting. Little was said at the time; but Bolingbroke drew up an answer to the attack, which however, probably from a distaste for the lengthened controversy it would have led to, and from a dislike to render his sentiments upon religious subjects publicly known, he afterwards destroyed.

But although Bolingbroke made no reply, he did not the less bitterly resent the attack. Warburton was ever after the object of his especial hatred; a sentiment which the divine seems as cordially to have returned. Pope, some time after, made an attempt to reconcile them, and for that purpose brought them together at Bolingbroke's house: but the endeavour was unsuccessful:—they parted with mutual disgust.

These Letters on History bear strong testimony to the tenacity of their author's memory, and to the extent of his reading. His quotations, which are so numerous that upon almost any other subject they would savour of pedantry, were drawn only from his memory and his common-place book; he had scarcely any of the authors whom he mentions with him at Chantelou. This has indeed betrayed him into some few mistakes. There are several inaccurate quotations, and in more than

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one instance he has mistaken the name of his author. But these errors were seldom suffered to go unpunished.

Bolingbroke had critics who disgraced the excellence of their cause by the excess of their virulence, and these slips were eagerly sought out and triumphantly exposed. These persons were not very moderate in their triumphs when they discovered an error, and they were sometimes not very scrupulous in inventing what they could not discover.

A singular instance of this occurs in Bolingbroke's relation of the story of Abgarus. The anecdote runs thus :—Abgarus was a prince of Edessa and a native of that city. Curiosity led him to visit Rome, and being there introduced to Augustus, he so far gained the friendship and esteem of that emperor that he was retained about his person. After a long residence at the Roman court, Abgarus began to feel all the tedium and wretchedness of exile, and having in vain made frequent petitions to the emperor to permit his return, resolved to give him a practical proof of his injustice. For this purpose he invited Augustus to see several beasts which he had taken alive in his hunting expeditions in Italy. After the arrival of the emperor, and before the beasts were brought out, he placed in different parts of the circus some of the earth belonging to the places where each of the animals had been caught. When this was done, they were turned loose into the circus, and every one of them, says the story, laid

himself down upon his own earth. Augustus, admiring the sentiment of love for their country which Nature had graven in the hearts of the beasts, granted the request which Abgarus took care to press, and allowed him to return to his native city.

This anecdote is alluded to twice by Bolingbroke. In his Reflections upon Exile he cites it as related by Procopius, and remarks, that it deserves just as much credit as that which follows, in the same place, of the letter of Abgarus to Jesus Christ, of our Saviour's answer, and of the cure of Abgarus. In his Letters upon History he mentions the same story, and says he thinks he read it in Josephus. The latter quotation is eagerly seized upon by a person who wrote some "Critical Remarks upon Lord Bolingbroke's Letters upon History." * He says, "Lord Bolingbroke ascribes the story of Abgarus' wild beasts here to Josephus, and in his Reflections upon Exile to Procopius: it is in neither, but in Eusebius."

His lordship is doubtful in his error; the critic is positive and dogmatical in his. The story is not in Josephus; but neither is there any mention of it in Eusebius. This author relates indeed the conversion and cure of Abgarus, and inserts at length the clumsy fabrications to which Bolingbroke alludes; but he says not one word about Abgarus' detention by Augustus: on the contrary, he declares that all he says about this prince happened during the reign

* Letter II.

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of Tiberius.* Had the critic consulted Procopius, he would have found less reason to exult over his author, and more to doubt his own capacity to judge him. In his History of the Persian War,† Procopius gives the story of Abgarus just as Bolingbroke has related it. He states also the conversion and miraculous cure of the Arabian prince, and adds that the answer of Jesus Christ to his application was inscribed upon the gates of Edessa.

The word which Eusebius indifferently writes Abgarus, or Agbarus, is an Arabian title common to the Arabian chiefs, as the Pharaohs of Egypt, the Candaces of Ethiopia, and the Cæsars of Rome. In transcribing the word from the original character it has been variously given, and Procopius writes it Augarus.‡ This variance may probably have deceived the hasty search of the critic.

In the first quotation, Bolingbroke was therefore right; in the second, he was diffident and erroneous. His censor in respect to both was confident and wrong. So much more easy is it to be critical than correct.

Some such errors doubtless there were; but in a work prosecuted under so formidable a disadvantage, such trifling imperfections may be easily forgiven. Under the circumstances, it is rather wonderful that

* Eusebius, Eccles. Hist. lib. i. chap. 13.

† Lib. ii. cap. 12.

‡ Ανγαρος.—The commentator upon Eusebius tells us this word signifies "Superlatively Powerful."

he should be so generally right, than that he should be occasionally wrong.

While this work employed many of the hours he devoted to study, he could yet spare ample time for the pleasures of domestic and even of social life. His old political coadjutor Mr. Pulteney says,* that during his residence at Chantelou he lived at great expense—greater, he feared, than his fortune would warrant; and he expresses his opinion that nothing but the death of his father, the Baron St. John, could enable him to continue his present style of living. His father however, although nearly ninety, was still in perfect health; and Pulteney remarks, that he appeared more likely to marry again than to die.

* Letter to Pope. Works, vol. ix.

CHAPTER XIV.

Bolingbroke's Political Letters to the Opposition.— His Conduct with regard to the Secession.— Opinion upon the State of the Country.

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THERE is nothing in Bolingbroke's private life at this time to arrest attention. The retirement of public men offers much subject for reflection, but little for narrative. His time was spent in the enjoyment of the society of present friends, and in correspondence with absent ones. If occasionally the phantom of his former power haunted his repose, he found refuge from it in the tender assiduities of one who loved as much as she admired him. The bitterness of disappointed ambition doubtless occasionally arose within his breast; but its acerbity tinctured his writings, not his life. In society he remembered only that it was his interest to conform himself to his fortune,—he could be sportive with the gay, and witty with the trifling: but in his study he could not forget that he had been a politician, and was still a Briton,— that he had an enemy in power and a country whom he yet could serve. It is upon these hours of solitude that the eye of posterity is fixed — hours in which his conversation was lost to a few and gained

to thousands. Bolingbroke's career of action was run: the only remarkable events of his life are now the completions of his writings.

Among these products of his solitude were the letters by which he animated the conduct of those among the opposition party whom he considered to be acting from pure and patriotic motives.

This correspondence, extending through the long period of his residence in France, is very extensive, and a particular consideration of it would involve a history of the transactions of the period. We may, however, notice a few points in which the hand of Bolingbroke was very conspicuous.

The advice given by him to his party in England, after he had thus abandoned as useless any further active co-operation with them, is such as we might expect from his great ability, and the patriotic end to which during the latter part of his life that ability was ever exerted.

In 1739, the opposition, finding all endeavours to control, what they considered, the dishonourable conduct of the minister, vain, determined upon a line of conduct which no apology can justify. This was to abandon the trust which had been reposed in them by their constituents;—in a word, to *secede* from parliament.

The speech of Sir William Windham upon this occasion made a strong impression throughout the nation. It advances all that can be said in favour of a measure so intrinsically indefensible.

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"I now rise," he said, "to pay my last duty to my country as a member of this house. I was in hopes that the many unanswerable arguments urged in the debate against this convention,* might have prevailed upon gentlemen to have once listened to the dictates of reason—for once to have distinguished themselves from being a faction against the liberties and properties of their fellow-subjects. I was the more in hopes of this, since in all the companies I have been in from the time this convention has been spoken of, I have not found one single person without doors pretend to justify it. Is it not strange that the eloquence of one man should have so great an effect within these walls, and the unanimous voice of a brave suffering people without should have so little? I am surprised that I should be so blind as not to discern one argument that has the least appearance of reason, among all that has been offered for our agreeing to this address. This must proceed either from the majority of this house being determined by arguments we have not heard, or from my wanting common sense to comprehend the force of those we have heard. In the first case, I cannot, I think, with honour sit in an assembly which is determined by motives which I am not at liberty to mention; and if the last is the case, I look upon myself as a very unfit person to serve as a senator. I here,

* This was the convention concluded between the British and Spanish governments to assign reparation for the outrages at which the nation was now so indignant. The attempt failed.

sir, bid a final adieu to this house. Perhaps, when another parliament shall succeed, I may be again at liberty to serve my country in the same capacity. I therefore appeal, sir, to a future free uninfluenced house of commons. Let it be the judge of my conduct and that of my friends on this occasion. Meantime I shall conclude with doing that duty to my country I am still at liberty to perform, which is to pray for its preservation.

"May, therefore, that Power which has so often and so visibly interposed in behalf of the rights and liberties of this nation, continue its care over us at this worst and most dangerous juncture, whilst the insolence of enemies without and the influence of corruption within threaten the ruin of her constitution!"

The boldness of this speech seemed calculated to procure for Windham the honour of a commitment to the Tower; and the more violent of the minister's adherents were about to move the arrest which the speaker had doubtless contemplated: but Walpole interposed, and contented himself with a vehement reply. It is a strong proof of the force with which the current of popular feeling then set against the minister, that he should permit his friends to be reproached as a corrupt faction whose votes were determined by motives too base to be mentioned; and that this insult should be offered in open parliament, while he dared not resent it for fear of exciting a popular commotion.

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The seceders soon repented of their imprudence; and many contrivances were had recourse to, to absolve themselves from the obligation of their public declaration.

This measure was generally supposed to have been resolved upon by the advice of Bolingbroke, who was well known to be the chief instigator of all the parliamentary conduct of Windham; but his letters at this time show that he rather disapproved than applauded the step. To the Earl of Marchmont he writes: "Our patriots—for such they desire to be thought, and such I wish they were—made a declaration to the people of Britain, when they made the secession, that they could do no real service to their country till the independency of parliament was restored. To declare the independency of parliament lost, and to sit still, is to acquiesce under the loss—to admit this real, not imaginary, subversion of the British constitution."

Bolingbroke in this letter suggested the means which most of the seceders afterwards employed to resume their seats without compromising their consistency:—

"It comes into my mind, my dear lord, to ask you whether you do not think, that an application from those counties, and cities, and boroughs, whose members voted against the convention, might be as effectual as any method, and less liable to contradiction. I mean, that this application should be to their own members — approving their conduct, thanking

them for it; expressing their abhorrence of this infamous treaty, and their concern that it was not censured as well as the author of it: observing, that the same minister who attempted to oppress his country a few years ago with new excises, has now not only attempted to give up the honour, and navigation, and trade of Britain to a foreign nation, but has really done it for many years together,—has given it up by the conduct of his administration, and almost directly by treaty; and has done all this with impunity, &c.

"Some of the most glaring instances may be here interspersed. They may then express their sense, that restoring the independency of parliament is the only secure way of correcting this and every other abuse of power; and insist on their right to preserve that fundamental principle of their free constitution of government,—for which purpose they are ready to concur with and assist their members in their endeavours to obtain an act, &c.

"Might you not return to the house thus backed and thus instructed, and then insist to do no business till a place-bill was obtained?" *

It is remarkable also, that Lord Cornbury, who was peculiarly a disciple of Bolingbroke, refused to follow the example of Windham, and continued to attend with unabated diligence to his parliamentary duties. †

A letter written to the Earl of Marchmont imme-

* Marchmont Papers. † Coxe's Walpole, p. 606.

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diately after the secession, places in a strong point of view the sentiments which Bolingbroke now held upon political subjects, and the opinions he had formed with regard to the controversy. It appears that the earl had engaged him to write in defence of the measures of the opposition :—

" I should be more in the wrong than most men, if I had not all that indulgence to the weaknesses of others which your lordship, I hope justly as well as kindly, ascribes to me; but I can say without any flattery,—for flattery is unworthy of you and of me,—that I never found this indulgence wanting to support my inclination to love and honour you.

" Strong and sudden emotions, the surprises of a good heart, would be considered in the school of Zeno among the pretenders to apathy: * high notions of virtue and an avowed detestation of knaves would be censured in the school of Aristippus. Be ashamed of neither. My lord, to form a great and a good character, it is not enough to have a mind fraught with knowledge, and to possess all the talents necessary to employ this knowledge with effect: the heart must be touched with esteem and contempt, with love and hatred, and with a zeal in the cause of truth and virtue that excludes all indifference, and much more all servile compliances.

* Should we not rather read, " would be *censured* in the school of Zeno,—among the pretenders to apathy?" The carelessness of epistolary composition, perhaps even the error of the printer, may account for the variance between the expression and the evident meaning.

"Let the object of our conduct be determined by knowledge, by experience, and by reflection; let prudence regulate the measures of it, but let the sentiments of the heart animate the whole. I saw and I felt with great pleasure that they animated yours, in an age and country where the fewest symptoms of them appear, and where the utmost want of them exists. Your fire revived the dying embers of mine, fanned them with hope and kindled them anew. I returned to my hermitage not only with a concern for my country, which will accompany me everywhere, but with a mind bent on endeavours to be of some public utility even there. Cooler reflection, fresher and repeated information, show me but too plainly that I can be of none. I can employ nothing but my pen; and if that was what your partiality to me makes you think it is, how could I flatter myself enough to hope to do any real services by it? Writing and speaking are of use to prepare, to accompany, and to support actions; but they become impertinent when they go alone, and the whole scheme begins, continues, and ends in them.

"I have seen them often employed of late years to raise a spirit, and the spirits as often remain unimproved to any good purpose. I am hurt, and your lordship will acknowledge that I have some reason to be so, when I hear that the same persons as think my name, and much more my presence in Britain whenever I am there, does them mischief, should express any expectation of that kind you mention from me.*

* Mr. Pulteney and his immediate friends.—*Editor's note.*

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They treat me a little too lightly; but I wish that it was me alone whom they treated so, and that the greatest interests of their country were not treated as lightly. No neglect of me should cool my zeal, or slacken my endeavours in their service, and that of the cause they profess to espouse; but I discern very plainly that our friends will not, or can not, support a measure they have valued themselves much for taking, and pawned themselves to support. Will they do anything better when they have pawned me too? I think not. I have thrown upon paper some thoughts which your lordship's draught suggested to me, and which may serve to explain and enforce some facts and arguments that you have employed. I apprehend that it is scarce possible to explain and justify the secession without speaking as plainly as these papers speak in the latter part of them, and yet I doubt very much whether it be advisable to throw them out as they are: if you should throw them out as they are, or with proper alteration and softenings, some introduction of them, grounded on some new events,—and new events will happen,—must be prefixed to account for resuming the whole proceeding so late. Use your prudence, my lord, in this; but allow me to insist on two things—that you do not expose yourself to any trouble for men who will not so much as keep your secret; and that no suspicion may go abroad of my having any share in the writing: for which purpose, since Mr. P. quoted me, I think he should be told that I have refused abso-

lutely to write on the subject. Your endeavours to expose the attempts that are made to revive party names are great services to your country in a most important point, my dear lord; and the collateral reasons that you mention to have prompted you to write a paper on that subject are of weight. But what shall we say and what are we to hope, when the men who should on all accounts lead, animate, and prompt others, are themselves to be led, animated, and prompted; and when even this cannot oblige them to give a due attention and exert a proper vigour in such a critical conjuncture? I expect no effectual measures for asserting the honour and interest of the nation to be taken.

"Walpole is left at liberty to pursue his own measures; and they are such, most certainly.* The true measure and the sole principle from which any good consequence can follow, is to deny peremptorily to admit the pretensions of the Spaniards to be *materia tractandi:* and I have not found any man of sense and knowledge on this side of the water who thinks otherwise. This is plainly designed to be evaded by the minister; and the late proceedings in par-

* This sentence is also expressive of Bolingbroke's disapproval of the secession. Again he says, to the same correspondent, "Honest men may do honour to themselves by asserting, in every way they can, the liberties of their country to the last:" a sentiment very different from that which would influence them to desert their posts. The sentence is printed "and they are *not* such;" but this is evidently an error of the press.

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liament will encourage him to evade it, as the general terms in which the resolutions of parliament are couched will give him pretence and means of evading it. The vast expense you are to make will serve at best, as many times it has happened since this administration, to mend a little, and that perhaps in appearance only, the conduct and issue of a ridiculous negotiation; and the great increase of the land-forces threatens Britain more than Spain. All that remains for me to do, and I fear almost all that remains for you to do, is to lament the fate of our country. A state is equally desperate, when there are no remedies to be found that are equal to the distempers of it, and when there are such to be found, but neither hands to administer them, nor perhaps strength of constitution sufficient to bear them. In one of these cases I am sure we are: we are perhaps in both. Plato complained that he lived in the dotage of the Athenian commonwealth, and gave that reason for speaking and writing what he thought of the government of his country, and for taking no further part in it. 'If our citizens will be persuaded, let us persuade them,' said the philosopher: 'if they will not, we neither can nor ought to force them.' Are we not in the dotage of our commonwealth, my lord? Are we not in the second infancy, when rattles and hobby-horses take up all our attention, and we truck for playthings our most essential interests? In a first infancy, there is hope of amendment: the puerile habits wear off, and those of manhood succeed; rea-

son grows stronger and admits of daily improvement; we observe, we reflect, we hear, we persuade ourselves, or we are persuaded by others. But in a second infancy, what hope remains?—reason grows weaker; the passions, the baser passions, the inferior sentiments of the heart—avarice, envy, self-conceit, and obstinacy, grow stronger; and the habits we then have accompany us to the grave."*

Such were the desponding sentiments of Bolingbroke. His forebodings received a gloomy shade from his own situation, and with the common feeling of a disappointed man he thought that everything must be wrong in a sphere from which he was so hopelessly excluded.

* Marchmont Papers, vol. ii. p. 183.

CHAPTER XV.

Bolingbroke's projected History of Europe.—His Letter upon the true Use of Retirement and Study.

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But a small portion of Bolingbroke's time was now employed in political correspondence; the far larger portion was devoted to society and general literature.

The great work which he had contemplated ever since his retirement from public life was a History of Europe, from the Pyrenean treaty to the conclusion of the negotiations at Utrecht. Upon this he intended to build his fame; and such a work only was wanted to transmit his name to future ages as conspicuous as an historical, as he had already rendered himself unequalled as a political writer. The magnitude of the task, however, deterred him from grappling with it: he contented himself with viewing it at a distance, and spent that time in designing which he should have employed in executing.

We have proof more conclusive than his general reputation,—his intimate acquaintance with the subject, and his perfect knowledge of our language,—that this history, had it ever been completed, would

have been worthy of the author and the era it described. His friend and disciple Lord Cornbury drew from him at this time a sketch of the plan he had marked out. Had he pursued this faithfully, and merged the secretary in the historian, no man of his age was so fit to give his countrymen a model of historical composition; a species of literature in which, at his time, scarcely any country was so barren.

That he perfectly understood the difficulties of the task in which he was about to engage, and thoroughly estimated the duties of the character he was about to assume, this little sketch sufficiently testifies. He was now compiling materials for his work, and he declares that he was never so busy in his life. But although he had matured his plan and studied his subject, he expresses his doubt whether he should ever have courage enough to undertake the task he had chalked out. He distrusted his abilities, and was in want of much information difficult to be obtained. His doubts were but too well founded: he deferred its commencement from year to year, until he was overtaken by old age, and was warned by increasing infirmity to lay aside an attempt which he could now indulge little hope of living to accomplish.

It is much to be regretted that this his favourite design was never executed: the subject was worthy of his powers, and under his pen it would have attained peculiar lustre; such a performance might

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have justified his friends in their enthusiastic admiration, and would have confounded, and perhaps silenced, his personal enemies. It would have afforded also to those of after times who regarded his extraordinary talents with the admiration which in an impartial observer they must always inspire, one illustrious instance in which their influence was not misused nor their powers perverted.

But while his thoughts were thus engaged, he could yet find leisure for reflections upon other topics. During his residence at Chantelou, he addressed to Lord Bathurst a letter upon the True Use of Retirement and Study; a subject with which it was eminently his interest, as it had long been his endeavour, to become conversant.

In the treatment of study generally, as he had done in that of history particularly, he points out the error of those who make it an end, and not a means. He exposes the folly of those who devote a whole life to the attainment of perfection in a single branch of knowledge, to the acquirement of skill in a controversial disputation, or to anatomizing with a microscopic eye the niceties of ancient scholarship. "Though reading makes a scholar," he says to such, "yet every scholar is not a philosopher, nor every philosopher a wise man. It cost you twenty years to devour all the volumes on one side of your library; you came out a great critic in Latin and Greek, in the Oriental tongues, in history and chronology, — but you was not satisfied —

you confessed that these were the *literæ nihil sanantes*, and you wanted more time to acquire other knowledge: you have had this time—you have passed twenty years more on the other side of your library, among philosophers, rabbies, commentators, schoolmen, and whole legions of modern doctors. You are going on, as fast as the infirmities you have contracted will admit, in the same course of study; but you begin to perceive that you shall want time, and you make grievous complaints of the shortness of human life."

This address is just, and the reflections it suggests are mournful, since they show the weakness of our utmost powers, and the little progress which we make by our utmost application. But Bolingbroke disapproves such an expenditure of life as much as that which is passed without any object at all. According to his view of the use of retirement and study, it is a mean of obtaining knowledge which may rightly influence the conduct of the individual. Knowledge is still the object, but it is not the ultimate object: it is not the knowledge which lies like the miser's hoard unproductive while other heaps are accumulating; it is rather like the wealth which is continually current, and is ever ministering to the necessities and comforts of mankind.

From such a description of the end of study, it follows that the proper season for its cultivation is the spring of life, while there is yet a future which the knowledge to be acquired may influence;

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and so our author teaches: "To set about acquiring the habits of meditation and study late in life," he says, "is like getting into a go-cart with a grey beard, and learning to walk when we have lost the use of our legs. In general, the foundations of an happy old age must be laid in youth; and in particular he who has not cultivated the reason young, will be utterly unable to improve it old."

The kind of knowledge which Bolingbroke proposes as the object of this early study, is that which shall recover to the student the unfettered exercise of his reason. Mere knowledge teaches him what to think. Our author would rather he should learn how to think. The accidents of birth and the prejudices of education he would have him erase from his mind: he would have him cut the bands in which his youthful mind has been swathed, and suffer it to exert its naked and unimpeded energies upon all those subjects which interest and influence the man.

How far this theory is sound, or how far its object is attainable, may well be questioned. The studies which are to obliterate all former prejudices are to enable the reason to form new decisions. The prejudices which had been imbibed were in most instances those which the instructor had also learned in his youth, and which his mature judgment had approved. They were, like the rudiments of learning by which they were accompanied, things for which he was indebted to the ripened understandings of others. But the judgment attains its maturity

less rapidly than the body. Is there no danger, therefore, that the independent decisions of the youthful judgment, which by the constitution of the human mind will soon become settled opinions, may be inferior to those prejudices which he derived from the more sober judgment of the majority of those who reasoned before him? Experience shows us that men will not be continually reviewing the grounds of their opinion upon particular subjects. These subjects are so numerous, that it would be impossible to do so. What they have once examined, (and often what they have not examined at all,) they are contented to hold. Their decision becomes a settled opinion; and whether formed by education in childhood, or by the immature judgment of early youth, it is equally difficult to be eradicated.

It might be asked, If the proper season for retirement and study was youth, why was Bolingbroke in retirement at the age of sixty? This objection he anticipates, but he does not entirely answer. He says, that in his youth he felt the love of study, and was not quite a stranger to industry and application; and that, although often transported by the hurry of his passions, he had some calmer hours. This may tend to free him from the censure of falling under the class whom he has designated by the simile of a greybeard in a go-cart; but it does not convince us that he ought not, according to his own hypothesis, to be in action, not in retirement. Instead of showing this, he starts off into a censure of the impiety of

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those who make the decrees of Providence the objects of their complaints, and murmur that the web of human life is spun so soon.

Bolingbroke has taught us by his practice what he has omitted in his precept. The uses of retirement and study are manifold. Like all other excellent things, they are subject to abuse; but when pursued in moderation, they comprehend pleasure as well as profit. The acquirements of youth may perhaps often embrace only the latter;* but our author in communicating the knowledge he had gained found both, although he perhaps partook more largely of the former. When in youth he retired to acquire knowledge, his retirement was useful to himself; when in age he retired to communicate it, it was pleasant to himself and useful to others.

The next production of his pen was a letter upon the Spirit of Patriotism, written in the year 1736. This was addressed to Lord Cornbury, and is perhaps the most excellent advice which has ever been given to a man about to enter into the service of his country. If his practice were really so bad as his enemies have endeavoured to paint it, this little treatise was the most severe satire upon himself he could have penned. It proposes the advantage of his country as the only object of his pupil's exertions, and places far beneath that object every hankering after personal

* A great authority (Aristotle, in his Rhetoric) has characterised study as an evil in itself, and only to be rendered pleasant by habit.

honours, and even every ambition of posthumous fame. His duty when in power is delineated by a hand which has been accustomed to direct the machinery it describes; his right course in opposition is dictated by a sentiment of the purest and most exalted patriotism. It has been often asserted that the influence of eloquence is upon the decline in our houses of parliament, and that the man of business is now become of more importance than the orator. The change is probably rather in our speakers than in the national taste. The leaders of the last generation were brilliant speakers, but they were also profoundly versed in the subjects they treated: in those of the present day, these qualities are not so frequently to be found in conjunction. Yet the absolute necessity of the latter quality to a statesman is more often admitted in theory than remembered in practice. Bolingbroke was not prone to undervalue that eloquence by which he himself was so eminently distinguished; but he is far from making it the sole requisite for a legislator and a statesman. After passing a beautiful eulogium upon the eloquence of Demosthenes and Cicero, he says, speaking of the former's conduct of the difficult negotiation he had to manage at Thebes,—"Was Demosthenes wholly taken up with composing orations and haranguing the people at this remarkable crisis? He harangued them, no doubt, at Thebes, as well as at Athens, and in the rest of Greece, where all the great

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resolutions of making alliances, waging war or concluding peace, were determined in democratical assemblies. But yet haranguing was no doubt the least part of his business, and eloquence was neither the sole nor the principal talent, as the style of writers would induce us to believe, on which his success depended. He must have been master of other arts, subserviently to which his eloquence was employed; and must have had a thorough knowledge of his own state and of the other states of Greece; of their dispositions and of their interests relatively to one another, and relatively to their neighbours; to the Persians in particular, with whom he held a correspondence not much to his honour in appearance, whatever he might intend by it: I say he must have been master of many other arts, and have possessed an immense fund of knowledge, to make his eloquence in every case successful, and even pertinent or seasonable in some—as well as to direct it, and to furnish it with matter whenever he thought proper to employ this weapon."

He makes similar remarks upon the influence which Cicero obtained over the councils of his country; and he closes his letter with an epitome of the duties of a public man, so excellently drawn, that we cannot forbear quoting it as a specimen of the principles of disinterested patriotism which characterise his later writings.

"In a word, my lord, this is my notion, and I submit it to you. According to the present form of our

constitution, every member of either house of parliament is a member of a national standing council born or appointed by the people, to promote good and to oppose bad government, and if not vested with the power of a minister of state, yet vested with the superior power of controlling those who are appointed such by the crown. It follows from hence, that they who engage in opposition are under as great obligations to prepare themselves to control, as they who serve the crown are under to prepare themselves to carry on the administration; and that a party formed for this purpose do not act like good citizens, nor honest men, unless they propose true, as well as oppose false measures of government. Sure I am, they do not act like wise men unless they act systematically, and unless they contrast on every occasion that scheme of policy which the public interest requires to be followed, with that which is suited to no interest but the private interest of the prince or his ministers. Cunning men (several such there are among you) will dislike this consequence, and object that such a conduct would support, under the appearance of opposing, a weak and even a wicked administration; and that to proceed in this manner would be to give good counsel to a bad minister, and to extricate him out of distresses that ought to be improved to his ruin. But cunning pays no regard to virtue, and is but the low mimic of wisdom. It were easy to demonstrate what I have asserted concerning the duty of an opposing party:

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and I presume there is no need of labouring to prove that a party who opposed systematically a wise to a silly, an honest to an iniquitous scheme of government, would acquire greater reputation and strength, and arrive more surely at their end, than a party who opposed occasionally, as it were, without any common system, without any general concert, with little uniformity, little preparation, little perseverance, and as little knowledge or political capacity."

Such was the political creed of a man whom a Walpole * has chosen to represent as an enemy to all government; and such are the sentiments which pervade his later political writings. We may remember, also, that these ideas of the duty of a member of the opposition were not mere speculations which he himself discarded in practice. Even in the early part of his career, when his disappointment might have been expected to vent itself in bitterness—when, having but just tasted the cup of power, it was suddenly snatched from his lips,—his moderation and temperate bearing astonished his enemies, and even disappointed his friends. St. John even then could draw the distinction between cunning and wisdom.

The precepts of the master were not lost upon the disciple. Amid the all-prevailing corruption which the policy of Walpole had poured out upon the land, a little band remained, which had not bowed the knee to Baal. Cornbury was one of these; and it must be

* Royal and Noble Authors, art. Bolingbroke.

satisfactory to us to know, that while this young nobleman was trained by Bolingbroke in the paths of political virtue, he was never seduced by his example into the dizzy maze of metaphysical infidelity. Lord Cornbury's name is numbered with those of whom Pope says,* that with their assistance he would never fear to hold out against all the corruption of the world. It is true that Murray was another; but Murray was not yet Lord Mansfield or chief justice, and Pope, although a poet, was no prophet.

Soon after the completion of this essay, Bolingbroke returned for a short time to England; and during this visit he resided with Pope at Twickenham. This journey was probably caused by the circumstance which we have seen hinted at by Pulteney. Notwithstanding the oft-repeated advice of Swift, who in his old age became a thorough miser, Bolingbroke's expenses were greater than his income. He came to England to sell his farm, and the completion of this business detained him five months. Dawley brought him twenty-six thousand pounds—a sum more than sufficient to release him from his difficulties.

After his return to France, we have a description of his mode of living from Pope, with whom he was in constant correspondence.† "Lord Bolingbroke's

* Swift's Letters.

† Swift's Letters. It seems that the letters of Pope to Swift frequently miscarried. In this letter the former declares that he is often asked by Swift questions which he had prolixly answered before;

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plan of life is now a very agreeable one; in the finest country of France, divided between study and exercise,—for he still reads or writes five or six hours a-day, and hunts generally twice a-week. He has the whole forest of Fontainebleau at his command, with the king's stables and dogs. His lady's son-in-law * being governor of that place, she resides most part of the year with my lord at a large house they have hired, and the rest with her daughter, who is abbess of a royal convent in the neighbourhood. I never saw him in stronger health, or in better humour with his friends, or more indifferent and dispassionate as to his enemies."†

To this we may add, upon the authority of one of his letters printed among the Marchmont Papers that he had built a pavilion in a garden

and mentions a letter, containing a particular account of their friend's affairs, with a postscript by himself. We might attribute these repetitions to the infirmities of the dean, did not the absence of this letter also, tend to implicate the post-office people. To the biographer of Bolingbroke it is however a loss, as the commentators say "hiatus valde deflendus."

* This must have been a son of the Marquis de Villette by his first wife: the Marquise never had any children.

† This letter was the last which we have of the correspondence between Swift and Pope. It is dated May 17, 1739. From this time the dean was probably incapable of writing. Early in 1741, he was sunk into such a state of hopeless idiotcy, that his friends were obliged to appoint guardians of his person and estate. He did not die until October 1745.

belonging to the abbey of Sens, and that that little retreat was the scene of all his literary labours at this time.*

* There is a striking similarity between the taste of Bolingbroke and Gibbon, in their choice of a spot for the composition of those works which have conferred immortality upon both of them. The latter volumes of the Decline and Fall were written in a little pavilion in a garden upon the banks of Lac Leman.

CHAPTER XVI.

Idea of a Patriot King.—Pope's Conduct with regard to the Patriot King. — Bolingbroke's Resentment. — Its culpable excess.

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It has not fallen within our province to notice the course of political events since the accession of George the First. The actor whose steps we are now tracing then left the scene, and we followed him into privacy. We need not however remind the reader, that at the time of which we are now speaking a serious misunderstanding had taken place between the King and his son Frederick Prince of Wales. When that prince withdrew himself from his father's court and threw himself into the arms of the opposition, Bolingbroke, who had been the great, the unseen leader of that opposition, of course became an object of his admiration and a sharer in his confidence. Some advances had been made by him towards cultivating the friendship and securing the support of Bolingbroke before he left England.*

* The Prince was pretty active in recruiting for the opposition. After having closeted Lord Harrington, in a vain attempt to convert him, he dismissed him with, "Remember, my lord, the King is sixty-one and I am thirty-seven." *Diary of Hugh Earl of Marchmont.*

His five months' residence in England was not passed without frequent interviews with the Prince, who was now identified with a party most of whom were private friends of Bolingbroke; and these interviews soon ripened into an intimacy which ever afterwards subsisted between him and the heir-apparent.*

* The conduct of Prince Frederick in this unhappy dispute is by no means deserving the censure with which the panegyrists of Walpole have visited it. His passion for the daughter of the King of Prussia was ardent, and the object was worthy of his love. His immediate submission to the will of his father was rather exemplary than common under such circumstances, and the pertinacious resentment of the King displayed an unnatural vindictiveness which his ministers were but too ready to gratify. Mr. Coxe has been too honest in his detail of the circumstances: he has furnished us with abundant grounds to reject his remarks upon them.

Horace Walpole asserts that Bolingbroke suggested to the Prince a scheme as impracticable as it was base. This was no less than to obtain at his accession that the revenue should be vested in the crown for every six years without a civil list, and to have parliaments holden only every five or six years. This accusation is contained in a note to his Memoirs of the Reign of George II. and is made upon the authority of Lord Egmont. Some years afterwards Walpole met with the passage in Bolingbroke's eleventh letter of his Dissertation upon Parties, in which he imputes a project of this description to Sir Robert Walpole, and denounces it as a thing which would be considered even in those days an intolerable grievance and an unjustifiable measure, because it would alter the fundamental article of our constitution. This contradiction did not, however, startle the Earl of Orford; he prefers the hearsay account of Lord Egmont to the recorded sentiment of Bolingbroke, and instead of drawing his pen through the original note, adds another upon the baseness which could attribute to another schemes which he had in

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We need not therefore be at a loss to discover the motive which prompted his next undertaking. He had formerly a nobleman to instruct in the pursuit of knowledge; he now had the heir to a mighty kingdom to instruct in the science of government. The miserable effects which pursued ignorance in a king of the character of the people whom he governed — the evils which resulted from his being considered as the dependant of a party; indebted to them for his crown and relying upon them for its preservation, were already before his eyes. It was worthy of the patriotism which Bolingbroke now professed and practised, to attempt to save his country from a repetition of these evils, and to implant in the breast of the man to whom he supposed her destinies about to be entrusted, principles which might not only prevent a recurrence of past misfortunes, but also ensure her future prosperity.

The result of his reflections upon this subject was his "Idea of a Patriot King;" a work which will always remain a monument of his eminent skill as a writer, and of his profound knowledge of the constitution and politics of his country. Nothing can be more injurious to the cause of truth than the mistaken zeal of violent and heedless advocates. Their unfounded assertions are disproved, and they

contemplation himself. The accusation, under the circumstances, is so unlikely that it borders close upon absurdity: but this is not the only instance in these Memoirs of the author having clung to a favourite error, after discovering the sandy foundation upon which it leant.

recoil with force, not only against the man who made them, but also against the cause in whose pretended service they were made. It has been thus with the assailants of Bolingbroke. Not content with denouncing him as an enemy of all religion, in which they were nearly right, they have branded him as an enemy to all government, in which they were entirely wrong. Those who are conversant with his political works alone, know that they calumniate him upon this point, and infer that he may be equally guiltless upon the other. Nothing could more strongly distinguish him from those who imbibe his infidel principles only because they wish them to be true, and who attempt to abolish all order only because they long to tear down what they cannot enjoy, than the sentiments contained in the work we are now noticing. He ably and strenuously defends the monarchical form of government as intrinsically the best; he unhesitatingly prefers an hereditary to an elective monarchy, and gives us abundant reason to justify his decision. The absurdity of an absolute monarchy is indeed pointed out, and the necessity of limitations insisted upon; but surely this sentiment will not in England be considered as a declaration of enmity against all government.

The sum of his limitations is this:—He is speaking of a people who have been wise enough and happy enough to establish and to preserve free constitutions of government; and to these he says,

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that their kings are under the most sacred obligations to defend and maintain in the first place, and preferably to every other consideration, the freedom of such constitutions. This conviction should be made the groundwork of the education of one who is destined for the throne of England; unless he has it, he can never know the real nature of his office; unless he follows its dictates, he can never be a patriot king.

The evil which may be wrought by a weak or wicked prince even in a limited monarchy, Bolingbroke paints with much strength and truth. He had the original of his portrait before him. In the hands of such a man corruption is a weapon which his difficulties will soon force him to use, and habit will soon make him dexterous in wielding it. The consequences of its agency will soon become apparent. "Old men," says our author, "will outlive the shame of losing liberty, and young men will arise who know not that it ever existed."

His passing from this point to dilate upon the inestimable blessing of the succession of a patriot king at this juncture, sufficiently points out the object of his own and his country's hope. He proceeds to draw the character of this patriot king. The purgation of a corrupt court is his first and not his least difficult task; for Bolingbroke is supposing that he will succeed such a king as George the Second, and such a minister as Walpole. But here he is reminded that party fury is not national justice;

that national wrongs are to be avenged, but no private resentments to be gratified.

The choice of ministers is a difficult task for the pupil, and a dangerous subject for the preceptor. He hazards less when he passes on to show, that it is essential to the character he is drawing to espouse no party, but to govern as the common father of his people. Party, he says, is a political evil, and faction is still worse, being to party what the superlative is to the positive.

That party is in itself an evil, has been questioned by men whose knowledge of our constitution will not yield even to that of Bolingbroke; and their arguments are forcible to show, that, restrained within the bounds of moderation, it is a watchful guardian of liberty. Scarcely any, however, will assert that the mist of party prejudice should be allowed to hang around the throne. But although indefensible in theory, this has been experienced in practice, and much pains are taken to point out its ill effects. Bolingbroke imagines many cases of difficulty and danger into which a patriot king may fall; but declares that there are none in which he will absolutely need the support of a party. In these observations he has considered the case of a disputed succession; and his remarks upon the Jacobite party show, what his conduct and his confessions alike declare, that when he joined them it was not with a supposition that he was right, or in ignorance that they were wrong. Now that he was

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no longer connected with them, he could urge unanswerable arguments against them: when he was with them, he could justify this result of passion only by assigning as his motives the false principle of party honour.

The reader of this, and indeed of every other political work which proceeded from Bolingbroke's pen, must not however forget that the strong prejudice of the author taints his writings. His violent antipathy to the minister infused a vehemence into his condemnation of his policy which has sometimes tempted him into an opposite extreme. We thus observe, that in his observations upon the History of England he has examined the annals of his country chiefly with the view to draw topics of argument against the foreign policy which Walpole was then pursuing. Every fact is made to bear in favour of a non-intervention in the affairs of the Continent. He seeks in every page an illustration of the maxim which he has adopted from the Roman poet, and applied to Britain—

> "Nec Deus intersit nisi dignus vindice nodus
> Inciderit:"

a principle of policy right indeed in itself, but perhaps hardly capable of being justly strengthened by some of the facts which he has adduced in its support.

In the "Patriot King," while he inveighs against corruption, and puts hypothetical cases of ruin and distraction which particular errors and particular

instances of bad government may induce, we cannot but recognize in the picture a highly-coloured representation of the policy of Walpole. We feel that it is a political attack; we remember that attack is made by a professed enemy; and if we agree in the censure, we must be careful that we decide upon the testimony of an unbiassed judgment, not upon the weight of our author's authority.

In laying down political principles, Bolingbroke is seldom wrong: his perfect knowledge of the constitution of his country and his own powers of discrimination then preserve him from error. When he denounces the undue increase of the army during peace, condemns the selfishness of faction, and inculcates impartiality and dignity as the virtues of a prince, mankind will in general yield him a ready assent. It is in illustrating these positions that the politician peeps forth. We perceive that he would lead us unconscious of his object to a particular conclusion; and our suspicions are awakened. The cause he advocates may be that of truth, but his words are still those of an advocate: they must be cautiously weighed before they are suffered to convince.

Annexed to the "Patriot King" was a short letter upon the State of Parties at the accession of George the First: the object of which is to prove, first, that during the reign of Anne there was no settled design on foot to bring in the Pretender; and secondly, that her successor was as impolitic as he was unjust in his treatment of that queen's ministers.

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The first we have already sufficiently examined; the second is a fact which none but a furious partisan could dispute. The king who sacrifices one part of his subjects to the fury of another, and consents to be unjust that he may assure himself that he is safe, can deserve no approbation from history;—he may be a cunning politician, he cannot be a wise king.

Connected with this "Idea of a Patriot King," there is a circumstance which we would willingly omit: it tends to show, that in Bolingbroke the sentiment of friendship was not equal to the vanity of the author.

He wrote rather for posterity than for his contemporaries. Many of his works were printed at a private press, and copies were given to a few of his particular friends, with the express understanding that these copies were to be considered as manuscripts. The manuscript of the "Patriot King" was intended to be printed in this manner, and Bolingbroke delivered it to Pope to get it done. Pope had frequently importuned him to allow this work to be published; but Bolingbroke always replied, that it had been written in too much heat and hurry for the public eye, though it might be trusted to a few particular friends. Many things, he said, must be softened, many strengthened, and the whole corrected, before it would be fit for the public. This correction was afterwards performed by Bolingbroke, who altered for future publication one of the printed copies he received from Pope.

His immediate friends were supplied with copies under the condition that they should not be by any means made public, and there the affair rested. In the year 1744, Pope died. Soon after his death, a printer informed Bolingbroke that he had in his possession an edition of 1500 copies of this essay, and requested his directions as to how he should dispose of it. It appeared, that when the manuscript was delivered to Pope, he had, besides the copies he was commissioned to get printed, given an order for this edition; and what was more offensive to the vanity of the author, he had taken upon him to divide the subject, and to alter and omit passages, according to the suggestions of his own fancy.

Bolingbroke was exceedingly angry at this discovery, and his anger was displayed in a manner which did as little honour to himself as it did to the memory of his friend. The peculiar fondness of Pope for petty stratagem is well known. He was like one of those gallants whom Swift ridicules as preferring midnight and a window, to prosecute an amour, which could be carried on with equal safety by daylight and the door. Lady Bolingbroke used to tell him that he played the politician about cabbages and turnips; and another of his lady friends accused him of not being able to drink tea without a stratagem. It is probable, as Dr. Johnson remarks, that it was this love of trickery which prompted the action that so enraged his surviving friend. But such a habit is but a slight excuse, and is certainly no justification.

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The breach of confidence was palpable in itself, and aggravated by its attendant circumstances. The conduct of Bolingbroke on the occasion may be censured as severe—it cannot be denounced as unjust. All the copies that remained in the bookseller's hands he had piled together upon his terrace at Battersea and burned. Here friendship should have caused him to stop; but he soon discovered that the edition was not entirely consumed. Pope had taken away with him several copies, and these had passed into other hands. Some time after, the magazines began to retail the work with all its imperfections, and the resentment of the author was revived. He now determined to publish a correct edition, and to print in the Advertisement to it an account of the stratagem by which the incorrect copies had got abroad. This was written in a style which would have been but moderate, had the offender been a stranger or a mere acquaintance. When we remember that the man who is so publicly accused of turpitude and breach of trust was the ardent friend of his accuser, that he was faithful to him when all others had deserted him, and has celebrated him in a poem which is read by thousands who never heard of the "Patriot King," we cannot but regret that Bolingbroke should have exposed what it would have been so much more creditable to him to conceal.

What passion prompted him to do, he wanted courage to avow. He got a poor tool—one Mallet, an author whom nothing but his servile subserviency to

Pope, when alive, had saved from the Dunciad—to put his name to the new edition as the editor, and as the ostensible author of the Advertisement. Bolingbroke's friends might hope that the officiousness of this man had carried him beyond his instructions, and that the paper went to the press without Bolingbroke's revision. But even this excuse is not left him. The original manuscript of this Advertisement is preserved in the British Museum. It has frequent alterations in Bolingbroke's own handwriting; and these alterations are by no means the least bitter of its passages. That it was written under the influence of passion, is very probable,—not the less so because with whimsical inconsistency, after so severely resenting the adulteration of his work, he declares that "there is scarce a man in the world more detached from it at this hour than the author of these papers, or more indifferent to the censure of most people in it, having nothing to expect or anything to fear from them. He might therefore," he continues, "in his way of life, and in his disposition of mind, either not have known that scraps and fragments of these papers have been employed to swell a monthly magazine, and that the same honourable employment of them was to be continued,—or, knowing it, he might have despised and neglected it. But some of his friends," &c.

No sooner had this edition appeared than Warburton published an answer to the Advertisement, in a letter to the author. The letter was well written,

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and as the cause it advocated did not require the aid of abuse, its style was moderate. It was not therefore less annoying to the person who provoked it. Bolingbroke immediately published "A familiar Epistle to the most Impudent Man living;" a production in which there is much personal abuse of Warburton and much praise of himself, but nothing is advanced that can excuse his breach of friendship towards the memory of the poet. This letter is in the style of a third person: but it was never doubted that it was Bolingbroke's, and we have the MS. in his own handwriting.

It is probable that after his passion had subsided he regretted the action of which he had been guilty. In a letter to a Mr. Lyttleton, he expresses his uneasiness at being, as he says, "forced to reveal" the circumstances. And in a letter to Mallet he says: "I hear from many different quarters, that Warburton talks very indecently of your humble servant, and threatens him with the terrible things he shall throw out in a life he is writing of our poor friend Pope. I value neither the good nor ill will of the man; but if he has any regard for the man he flattered living, and thinks himself obliged to flatter dead, he ought to let a certain proceeding die away in silence, as I endeavour it should."*

Bolingbroke seems to have thought with Johnson,

* Mr. Lyttleton was the same who wrote "The Conversion of St. Paul." Both these letters are among the MSS. in the British Museum.

that Warburton's heart was only warm with his legacy. It was certainly injudicious in him to contribute to the publicity of the affair. The proceeding was honourable to neither party. Pope's conduct could not be defended, and in attacking his accuser his advocate only increased the notoriety of the fault.

CHAPTER XVII.

Death of the Viscount St. John.—Bolingbroke returns to England.—Fall of Walpole.—Bolingbroke revisits France, and returns to England.—Death of Pope.—Bolingbroke employs himself in the correction of his Works.

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THE "Idea of a Patriot King" was the last of Bolingbroke's productions while he remained at Chantelou. The preparation of the materials for his History occupied the remainder of his leisure: but what advance he made in this work we know not, as he destroyed all the papers when he abandoned the design.*

In the year 1742, his father the Viscount St. John died at the age of ninety, and Bolingbroke became possessed of the family estate which the act of par-

* I cannot think with the Editor of the Marchmont Papers, that these materials were suppressed by Mallet. What interest could he have for so doing?—this was the sole motive of Mallet's conduct. That Bolingbroke intended to write several essays upon this subject, and to comprehend in them several of the memorials, anecdotes, and other miscellaneous pieces, which he had prepared for his larger design, appears from his letter of 30th Oct. 1742. But although he intimates that Pope saw one of these essays, it is by no means certain that he ever completed any more.

liament had enabled him to inherit. This event occurred while he remained at Chantelou, and necessarily occasioned his return to England. The intercourse between Bolingbroke and his father never appears to have been very strict or confidential. We have already given some proof of the violence of the baron's temper; and from a hint conveyed in one of Swift's letters, we may infer that the absence of cordiality was not solely the fault of the son.

The same year that Bolingbroke returned to England, Walpole ceased to be prime minister; and his fall was in no slight degree attributable to the efforts of the man he had persecuted. Bolingbroke had wisely struck at his popularity, and the effects of his labours were now apparent. The session of 1741 terminated the existence of the parliament which had served the minister so faithfully, and the temper of the public mind forbade him to hope for another equally servile. The dissatisfaction which Bolingbroke had so successfully disseminated among the people was seen in the elections. At the meeting of the new parliament, after a few indecisive divisions, Walpole discovered that the majorities against him were daily increasing, and he made haste to retire while he could yet do so with safety. An earldom and a pension of 4000*l.* a-year rewarded his services, and Bolingbroke beheld the hour of triumph for which he had laboured. Walpole's biographer attributes his downfal to the state of false security into which Sir William Windham's death and Boling-

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broke's retirement into France had lulled him: it may be more reasonably accounted for by the shamelessness with which he departed from the principles he had in early life avowed,—by the undisguised corruption of his government, and his servile submission to the mischievous prejudices of his master. That that master esteemed him only as a ready instrument of his will, sufficiently appears from the fact that the King and his minister spoke no language in common. The little conversation that passed between them was with difficulty carried on in broken Latin. Such a minister could have effected little by persuasion. *

But although Bolingbroke's revenge was gratified by his rival's fall, he gained little personally by the change. The ministry which succeeded was nominally a coalition, but in reality a Whig ministry. The people were disappointed. Because Walpole had governed by corruption, they imagined that those who arraigned his conduct must be themselves examples of the purity they lauded: they were not a little surprised therefore when Pulteney, suddenly raised to the upper house by the title of Earl of Bath, abandoned all the lofty topics of declamation which had been so useful to him in opposition, and addressed himself to conciliate many of those whose measures he had so vehemently denounced. So entirely did this conduct ruin him in the popular

* "Mentiris impudentissime" is a specimen of his style of conversation in the presence of his sovereign.—*Coxe's Walpole.*

estimation, that Walpole, when they met in the upper house as the Earl of Orford and the Earl of Bath, could say to him, with some justice as far as Pulteney was concerned, "My lord of Bath, you and I are now the two most insignificant men in the kingdom."

Bolingbroke however, although he felt little cordiality for the new ministry, and hoped for no favour at their hands, did not behold it with such decided hostility as he had its predecessor. His prime enemy was politically dead; and perhaps he began to feel that it was time for him also to retire.

Attached to the family estate was an ancient seat at Battersea, which had been for many generations the residence of the St. Johns. Here, in the home of his fathers, Bolingbroke now resolved to spend the remainder of his days. He was not exempt from the common lot of humanity; his infirmities increased with his years; and even his fervid spirit was brought to wish that a life of continual turmoil and excitement should conclude in privacy and ease.

Bolingbroke's retirement was not however yet without interruption. A few months after his return, his infirmities drove him again to France. In July 1743, we find him dating from Argeville, and telling his friend the Earl of Marchmont that he was learning for the amusement of his solitude to play backgammon.*

* Marchmont Papers.

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This temporary visit was probably in some degree also occasioned by pecuniary difficulties. We find several allusions to his private affairs in his correspondence about this time; and Pope* remarks of him that he will never be worth 3000*l.* From these difficulties Bolingbroke was at no period of his life entirely free. Many years before, when secretary of state, he had complained to a friend of the loss of 4000*l.* which, he says, is peculiarly embarrassing to him, since he was never 1500*l.* beforehand in his life.†

In these letters from Argeville, the politician and the agriculturist are strangely mingled. The notice of the battle of Dettingen, and some dark observations upon a political intrigue which we are now unable to explain, are directly succeeded by an earnest request for a consignment of a quantity of acorns, and for the necessary instructions as to their culture. The evacuation of Germany and the designs of the Queen of Hungary are discussed in almost the same sentence with the excellences of the red Virginian oak.

At Argeville he did not however remain long. By the advice of his physicians he determined to revisit Aix-la-Chapelle, from the waters of which place he had before derived considerable benefit. "The truth is," he writes, "that I still feel the remains of the rheumatism I had last year, and even more than I did when I was with you. This makes me

* Marchmont Papers.

† Bol. Corr. vol. i. p. 457.

apprehend the return of the winter, and resolve to eradicate before that season comes, if I can, this obstinate humour."

Bolingbroke returned to England about the end of October in this year, and immediately took up his residence at Battersea, which had been occupied by the Earl of Marchmont during his absence.

The summer of the following year was also passed in France, where Bolingbroke still kept an establishment. This was now broken up, and in 1744 he took a final leave of the country in which so large a portion of his life had been spent.

Henceforward Bolingbroke really practised the secluded life which he had so often affected. His increasing infirmities forbade any active exertion; and if he was not content with the reputation he had acquired, and the share of power he had enjoyed, he had at least learned that all further attempts were futile.

The violence of the diseases to which he had now become subject often confined him to a single room, and even obliged him to use an amanuensis in corresponding with his friends. The rheumatic affection which had several times driven him to the waters of Aix-la-Chapelle still retained its hold. Its frequently recurring attacks entirely prostrated his strength; and we several times find him writing that he is slowly recovering the use of his limbs, after a fit of this excruciating disease.

As far as the sympathy and kindness of admiring

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friends could avail, Bolingbroke was however still enviable. His retreat was visited by all who were themselves illustrious for their genius, or whose taste rendered them capable of admiring it in others.

His seat at Battersea was looked upon as a shrine where all who advanced any pretensions to learning and literature were bound to worship. His circle of familiar friends was as confined as it was splendid; and happy did he esteem himself who could be numbered among the select few whom Bolingbroke admitted to share his hours of retirement.

But these, many of them his early friends, gradually died away; and the time was now passed when the vacancies their deaths occasioned could be repaired. The autumn of the generation in which Bolingbroke had shone was now come, and the leaves fell thickly around him. The time he had passed in France had erased many of the dearest names from his list of companions. Prior, Gay, Lyttleton, Phillips, Atterbury, all were swept away. Sir William Windham, his constant friend and his advocate when in misfortune, who had shared with him a common home, was gone.* Swift had lately sunk into the grave. Pope was the last of that illustrious band which, although forming but a moiety of the talent of that age, was sufficient to ennoble any other;—and now he also was called.

* Bolingbroke, in a letter to the Earl of Marchmont, who was then residing at Battersea, tells him that he should like to be an inmate of his family, as Windham had been of his at Dawley.

For two years after Bolingbroke had retired to Battersea, Pope had been his almost constant companion. During his life their friendship was uninterrupted: we have no evidence that any circumstance ever interposed to disturb the harmony of their intercourse. It is to be lamented that a friendship so unbroken and so honourable to both parties should be renounced by one after it had been dissolved by death.

The sincerity of Bolingbroke's affection for his friend cannot be questioned. His attention to him during his last illness was unintermitting, and his grief at his death was worthy of the loss he had sustained.* During the more violent stages of his disease, Bolingbroke was constantly at his bed-side; and when intervals of ease allowed the sufferer to be removed, Bolingbroke was still his companion. While the event seemed doubtful or distant, he gave all the comfort which such a friend could give; when it was evidently and hopelessly at hand, the firmness of the philosopher sank under the bereavement of the man, and we are told that he wept tears of agony over his dying friend.

Pope left all his manuscript and unprinted papers to Bolingbroke, "committing them to his sole care and judgment, to preserve or destroy them." The insinuation which Dr. Johnson makes in his Life of Pope, that Bolingbroke in his resentment treated the legacy with contempt, seems to be, like many other

* See his Letters to the Earl of Marchmont at this time.

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things he advances in that work, entirely without foundation. Bolingbroke does not appear to have found anything among them which he thought could add to the fame of his friend. The Duchess of Marlborough, notwithstanding her intimacy with Pope, was afraid, from the specimen she had already had of Pope's satirical powers, that some of these papers might reflect either upon her or her husband. Bolingbroke removes her uneasiness by a letter which he writes to her through the Earl of Marchmont.* "It would be a breach of that trust and confidence," he says, "which Pope reposed in me, to give any one such of his papers as I think that no one should see. If there are any that may be injurious to the late duke or to her grace, even indirectly or covertly, as I hope there are not, they shall be destroyed; and you shall be a witness of their destruction. Copies of any such, I hope and believe, there are none abroad; and I hope the duchess will believe I scorn to keep copies when I destroy originals."

For some time after this event, Bolingbroke's moments of ease were chiefly devoted to the correction of those writings which he intended should transmit his name to posterity. Most of the political works which have come down to us were now revised; and his desire of posthumous reputation seemed to increase as the event which was to try his title to eminence more evidently approached.

* Marchmont Papers, vol. ii.

This growing desire of a fictitious, after he had abandoned the hope of a real immortality, rendered him more sensitive upon the subject of his literary fame than he had been in earlier life. He then hoped to shine in history as the statesman who lived only to direct the resources and to advance the grandeur of his country: he was now content to be remembered as the author who had essayed to teach what his adverse fate would not permit him to practise.

This extreme care for his literary productions may account for the severity with which he resented the disingenuous conduct of Pope. But this feeling, although it may be recognized as a cause, can never be admitted as an excuse. The act must ever remain a stigma upon the memory of Bolingbroke.

CHAPTER XVIII.

Conclusion of the War.—Treaty of Aix-la-Chapelle.—Bolingbroke's Reflections upon the Present State of the Nation.—Death of Lady Bolingbroke.

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WE have yet to record the last effort of Bolingbroke as a writer.

A.D. 1748.

In 1748 the war, which had been so long prosecuted without either glory or advantage, was brought to a close. The treaty of Aix-la-Chapelle was no more favourable to England than that of Utrecht had been; but this was not the fault of the ministry which concluded it. There had been no fields, such as Malplaquet, Oudenard or Blenheim, to serve as a warranty for high demands. England had appeared in the contest as a dependency of Hanover; the King viewed all that related to this pigmy principality through a microscopic medium; but when the interests of Britain were to be considered, the glass was reversed. In her foreign policy Britain appeared the mere vassal of a German prince; and so thoroughly were all parties convinced of this, and so disgusted were they with the war they had demanded, that a deliverance from it would have been wel-

comed at any price. The treaty of Aix-la-Chapelle was therefore leniently scanned. Bolingbroke said of it, "if the ministers had any hand in it, they were wiser than he thought them; if not, they were much luckier than they deserved to be." A.D. 1748.

Bolingbroke had become somewhat cynical in his political feelings, and this ministry *were* wiser than he thought them.

The event they had brought about tempted the retired statesman to resume his pen. In the following year, he commenced "Some Reflections upon the Present State of the Nation, principally with regard to her Taxes and her Debts; and on the Causes and Consequences of them." 1749.

The series of expensive and sanguinary wars which were now concluded, had entirely changed the situation of the country; and in no department of her economy were their effects so seriously felt as in that which formed the subject of this treatise. The revenue, which at the accession of William and Mary amounted to about two millions annually, was then sufficient to defray not only the ordinary expense of government, but also to maintain a military and naval force fully equal to the defence of the kingdom. At the time when Bolingbroke now wrote, this revenue had been increased by taxes upon land and malt, and by numerous other impositions, which were severely felt and discontentedly borne; yet so little was it capable of meeting the exigencies of the state, that not a regiment could be raised, or a ship equipped

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for sea, without some fresh drain upon the national resources.

A.D. 1749.

The public debt had increased as the sufficiency of the ordinary revenue had diminished. The amount of the nation's liabilities, which at the former period was little more than three hundred thousand pounds, was now increased to the enormous extent of eighty millions; and this without the attainment of any national advantage at all proportionate to the magnitude of the efforts England had made.

Bolingbroke's object in the composition of this treatise was to discover how this change in the national circumstances had been brought about. To examine the conduct of those who had counselled the expenditure, and to seek a means of restoring the national finances to their former healthy condition.

Our countrymen were not at that period habituated to view with indifference the pressure of an enormous debt; nor had any political alchemists yet arisen to apply to the terrible burden a philosopher's stone, and to persuade them that what they conceived to be debt was in reality sterling wealth—the fruitful source of prosperity and happiness. Bolingbroke certainly cannot claim the merit of this sublime discovery; he thought with all his contemporaries, that the debt they had contracted must be paid; and he reasons, that until they had paid off a great part of this encumbrance, and restored the country in some measure to her former

wealth and power, it would be a difficulty amounting almost to impossibility, to maintain the dignity of Great Britain, to make her respected abroad, and secure from injuries, or even affronts, on the part of her neighbours. "Nothing," says our author, "but the speedy diminution of our national debts, can secure us effectually against contingent effects, that may be of fatal consequence. Upon this the future prosperity and safety of this country depend." Bolingbroke never conceived that a remedy would be found by plunging to an inextricable depth into the evils he was deprecating. If he shrunk with alarm from a debt of eighty millions, what would have been his dismay could he have foreseen that within little more than half a century that debt would be increased tenfold! But Bolingbroke had never dared to fathom the depths of his country's resources; like the voice of the son of Crœsus, they became known only when necessity rendered their utmost powers indispensable.

The enforcement of a rigid frugality in every department of the state, and the gradual decrease of the rate of interest, are the chief expedients which he advises for the removal of its fetters. The propriety and justice of the latter expedient he is at considerable pains to make evident; but as his arguments are not complete, we can hardly judge of their force or validity. This work was never finished. It was probably interrupted by an event which withdrew his attention from all literary occupations, and

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drowned all recollections of the distresses of his country in the poignancy of more immediate griefs.

A.D. 1749.

The health of Lady Bolingbroke had even before her marriage been delicate; and for many years her life had appeared only the feeble flicker which precedes extinction. Bolingbroke could scarcely have hoped that she would be spared him so long. Their afflictions increased as the lapse of time rendered them more inveterate; and they present the melancholy picture of a couple happy in each other, and in all around them, but miserable in themselves,—gradually sinking together under the accumulated mass of infirmity which every day that passed by continually increased.

Bolingbroke felt the sufferings of his wife far more acutely than his own. Some time before, he had removed her into Somersetshire; but her alarming illness compelled their sudden return. The waters of Bath were tried with as little success. Finding all hope from change of place vain, he returned to Battersea, and addressed himself to expect with fortitude what he could not avert.

His last two letters to his friend the Earl of Marchmont convey a painful description of the afflictions which both he and his lady were now enduring.

1750.

In February 1750, he writes from London: "It is true that I have been these two months in this town, much out of order myself, and yet not on my own account, but on that of a poor woman, who is come, I think, to die here. It is impossible to

describe the torment she has endured these many months, and the weakness to which she is reduced by a slow but almost continual fever at this time. A man who thinks and feels as I do, can find no satisfaction in the present scene; and I am about to lose one who has been the comfort of my life in all the melancholy scenes of it, just at a time when the present is most likely to continue and to grow daily worse."

A.D. 1750.

The month after, we find him writing in a similar strain of despondency. "You are very good,"* he says, "to take any share in that affliction which has lain upon me so long, and which still continues, with the fear of being increased by a catastrophe I am little able to bear.

"Resignation, my lord, is a principal duty in my system of religion. Reason shows that it ought to be willing, if not cheerful; but there are passions and habitudes in human nature which reason cannot entirely subdue. I should be even ashamed not to feel them in the present case, though I am resigned to the conditions of humanity and the usual course of things.

"I shall never retire so as to deny myself to my friends, however useless they may be to me, and I much more so to them. But there are few whom I esteem such, and I have been long saying to myself what I told you once that old Victor said to me, '*Je deviens tous les ans de plus en plus isolé dans*

* Marchmont Papers, vol. ii. p. 385.

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ce monde.' From your lordship I hope I never shall be separated: by my affection I never shall.

"You will forgive me, my lord, if I make use of another hand, rather than to defer my answer to you: a strong affection, which rheumatic pains have left on the nerves, deprives me often of the power to use it in writing."

This, except a letter of mere compliment dictated upon the birth of an heir to the Earl of Marchmont, is the last letter we have of Bolingbroke's.

The event which the husband thus sorrowfully anticipated, must have occurred a few days after. Lady Bolingbroke died the 18th March, having in a union of thirty years proved that Bolingbroke was not incapable of the most tender and assiduous affection.

The happiness Bolingbroke found in this his second marriage we have before spoken of. His grief upon its dissolution he has not thought worthy of record. Bolingbroke had not the art or the inclination, like his contemporary Dr. Young, to make the public a partner in his woes; but his sorrow, although unseen, may be estimated by the worth of the wife he had lost. It was the happiness of this lady that the passions which had embittered his earlier connexion had expired in enjoyment, or had been chastened by philosophy. The testimony of all his friends describes his tenderness and affection as exemplary, and her as well deserving it. Among the illustrious persons who sought the society of her husband, she was

equally celebrated for her conversational talents, and the ease and elegance of her manners. No violence of temper embittered their union. Lady Bolingbroke was as amiable as she was graceful; and the husband found those failings treated as subjects of repartee by her, which he had before heard urged in a tone of angry reproach. Many specimens are recorded of her vivacity; and although she never acquired sufficient skill in the English language to speak it habitually, yet she perfectly understood it when spoken by others. Her remarks were generally in French; but their justice and smartness, when called forth by the peculiarities of her husband's friends, caused them to be frequently repeated or translated.*

Her admiration of her husband was unbounded, and entered even into her rebuke. It is related, that while walking with her and a friend in his grounds, Bolingbroke, with a gaiety which never forsook him, was recounting some of the gallantries of his youth. "He reminds me," remarked his lady, "of a fine old Roman aqueduct; but, alas! it is in ruins—the water has ceased to flow."

Lady Bolingbroke was buried in the family vault of the St. Johns in Battersea church, where the

* One of her countrymen is the only person who has raised his voice against her; and this is for a foible which it is hardly fair to allege against a lady. General Grimoard says, "Elle avait de l'esprit et eût même bien parlé, *si elle avait parlé un peu moins.*"

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following inscription, written by her husband, may yet be seen :—

In this vault
Are interred the Remains of
MARY CLARA DES CHAMPS DE MARSILLY;
Marchioness of Villette and Viscountess Bolingbroke.
Born of a noble family,
Bred in the Court of Louis XIV.
She reflected a lustre on the former
By the superior accomplishments of her mind:
She was an ornament to the latter
By the amiable dignity and grace of her behaviour.
She lived
The honour of her own sex,
The delight and admiration of ours.
She died
An object of imitation to both,
With all the firmness that Reason,
With all the resignation that Religion,
can inspire.

The firmness and resignation which the husband here records, he had before testified in a letter to Swift in 1731. She was then extremely ill, and Bolingbroke, after tenderly declaring his affection for her, says, "Death is not to her the king of terrors; she beholds him without the least. When she suffers much, she wishes for him as a deliverer from pain. When life is tolerable, she looks upon him with dislike, because he is to separate her from those friends to whom she is more attached than to life itself."*

* Swift's Letters.

This was previous to Bolingbroke's removal to Chantelou; and from Pope's account of their mode of living there, which we have already quoted, her health must have been partially re-established after this illness.

CHAPTER XIX.

Bolingbroke's multitude of Acquaintance and dearth of Friends. — The Prince of Wales.—Mallet.—Lawsuit about Lady Bolingbroke's Property.—Death of Bolingbroke.

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By Lady Bolingbroke's death the only tie which bound her husband to the world was broken. It is not the least of the misfortunes of old age, that the connexions of our youth and manhood are commonly then destroyed by death. Bolingbroke now first experienced the full severity of this misfortune, and felt the bitterness of being alone in the world.

Acquaintances indeed in multitudes all eagerly sought his society, and deemed themselves honoured by his notice; but the time was passed when the heart could open to receive a friend. He mingled carelessly with those who were attracted by his reputation, but seldom condescended to cultivate their acquaintance, or to try the sincerity of their professions. He still retained some slight connexion with the party which he had lately aided by his writings; but he paid but little attention to their plans, and seldom assisted at their councils. The Prince of Wales was the person of that party with

whom Bolingbroke was most intimate. He often sought and obtained advice from the retired statesman. The Patriot King will declare that the counsel he afforded was neither dishonourable to him who gave, nor prejudicial to him who received it. What its effects might have been, we have no opportunity of judging, as Prince Frederick was never called upon to practise the lessons he had received; but the Prince was certainly attached to the adviser he had chosen, and the intimacy continued during the remainder of Bolingbroke's life.

It was probably to his intercourse with the Prince that he was indebted for his knowledge of Mallet, whom we have before mentioned as the nominal editor of the Patriot King. Mallet had distinguished himself in the service of the opposition, and had been rewarded by the Prince with the place of his undersecretary. We cannot suppose that there was much in this man which Bolingbroke could either esteem or admire. He was however unhesitating in his obedience, and unsparing in his flattery. Bolingbroke's tried and trusted friends were gone: he found Mallet useful, and he therefore tolerated and employed him.

The evening of Bolingbroke's life was splendid though cheerless. Honoured as the first citizen in the republic of letters; courted and beloved by the great men of his illustrious age; the patriot teacher of his countrymen; the confidential counsellor of a prince,—he might be considered happy in the enjoy-

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ment of a reputation which it had been the business of his life to deserve.

But however enviable he might be esteemed by the observer who viewed him only as the oracle whose opinion was sought by the great and deferred to by the illustrious, he who looked closer could discover a far different scene.

Bolingbroke had ever been the victim of restless and disappointed ambition: the disappointment harassed him after the hope of retrieving it had fled. To this cause of mental inquietude another cause of annoyance was now superadded. We have noticed that his marriage with the Marchioness de Villette was private, and was not acknowledged until two years after it was solemnized. No sooner was this lady dead, than her heirs in France, denying that any marriage had ever taken place, commenced a suit in the French courts for the recovery of the property she had possessed as a widow. Bolingbroke was little inclined to litigate the question: his efforts to obtain legal proofs of the marriage were vain, and he respected the memory of his wife too much to wish to make so delicate a point a subject of public conversation; he made large offers of accommodation, but every proposal was rejected, and his opponents determined to proceed to trial. The result was unfavourable; he lost his cause, and beheld with indignation the memory of a wife whom he yet mourned branded with infamy. The Marquis de Matignon, the friend

who had calmed the violence of his jealousy against Macdonald, and who had ever since been connected with him by the ties of friendship, was still in France. To this nobleman Bolingbroke applied to assist him in vindicating the memory of his wife. The Marquis entered with ardour upon his commission: an appeal was made to the parliament of Paris, and the necessary proof was procured. The delays of the French courts, however, prolonged the proceedings beyond the life of Bolingbroke: it was not until after his death that the blot upon the fame of his lady was removed. Soon after that event the cause was determined. The sentence of the *Chambre des Enquêtes* was totally annulled; and Montmorier, the original claimant, was condemned to refund the money he had seized in consequence of it.*

This triumph her husband was not permitted to see: and the prosecution of the suit was only an additional cause of anxiety. The infirmities of old age, which had so long been gathering around him, were fast bowing him down; and Bolingbroke had no son to inherit his genius or to emulate his fame. A retrospect of the past offered little but a series of mortifications and misfortunes; nor could conscience always whisper that they were undeserved. These discomforts were soon reinforced by a terrible disease, which threatened a sure, a painful, and a gradual death. A cancer attacked his face, and continued

* MS. Letter from a Mr. Lee to Mallet, in the British Museum.

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slowly to spread. Against so dreadful an assailant, at Bolingbroke's age, surgical aid was vain: he knew that he carried with him the seeds of a speedy dissolution, but he awaited its approach with calm and unsubdued stoicism. The principles which he had adopted while death was yet far distant, did not in him, as they have done in many others, quail before the approach of the king of terrors. The crisis he had long expected at length arrived: the disease extended itself to the vital parts. In the agonies of death he was awfully consistent with himself: he rejected without hesitation the proffered offices of a clergyman, and died as he had always lived, but only latterly avowed himself, a deist; affording in his last moments a melancholy proof of his sincerity.

Bolingbroke survived his lady but twenty months: he died on the 15th of December 1751, in his seventy-fourth year. His death was hastened by the violence of an empiric to whose treatment he had submitted himself. Walpole was killed by a man of the same description; and his son * mentions it as a singular coincidence, that these two men, who

* H. Walpole's Memoirs of the last Ten Years of the Reign of George the Second. It is singular that even the date of Bolingbroke's death is by no author correctly given. Horace Walpole, who as a contemporary ought to have been exact, fixes it upon the 12th of December, while the author of his Memoirs, who has been generally followed, gives the 15th of November. The date which I have given is ascertained by the unanimous testimony of all the magazines and newspapers of the time.

had been rivals through life, should owe their deaths to the same misplaced confidence in ignorant men.

Bolingbroke was buried by the side of his wife at Battersea. The epitaph which appeared upon his monumental tablet is still extant in his own handwriting in the British Museum. It is shortly descriptive of his fortunes.

Here lyes
HENRY ST. JOHN:
In the days of Queen Anne,
Secretary at War, Secretary of State, and Viscount Bolingbroke;
In the days of King George the First and King George the Second,
Something more and better.
His attachment to Queen Anne
Exposed him to a long and severe prosecution:
He bore it with firmness of mind.
He passed the latter part of his life at home,
The enemy of no national party,
The friend of no faction;
Distinguished under the cloud of a proscription
Which had not been entirely taken off
By zeal to maintain the Liberty
And to restore the ancient Prosperity
Of Great Britain.

The following Verses appeared in the Gentleman's Magazine for January 1752:—

ON THE DEATH OF LORD BOLINGBROKE.

Illustrious Bolingbroke's no more!
Ye Muses, bring your mournful store,
In doleful numbers sing.
Where every grace and art combined,
What language equal can you find
To wake the sounding string?—

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What Science first her voice shall raise,
When each demands a right to praise
The graceful and profound?
His was the vast capacious soul;
Not part sufficed him, but the whole,—
He grasp'd the circle round.
By Eloquence a scroll's held forth,
In which she celebrates his worth,
And Truth inserts a line.
Higher no human wit shall rise,
The limit's fix'd by Fate, she cries,
'Twixt mortal and divine;
Nor, Wisdom, of thy son be vain,
Since this his memory shall stain:
A genius so refined
With evil men his counsel shared;
With them the manacles prepared
His native land to bind.

This is the least suspicious of all panegyric, since it appears to come from a contemporary political opponent.

CHAPTER XX.

Bolingbroke's Successor in the Title and Estates.—His Will.—Bequeaths his Works to Mallet.—Lord Hyde's Letter to Mallet.—Character of Bolingbroke's Writings.—His Political and Private Character.

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BOLINGBROKE'S title and estates descended to his nephew, the son of his half-brother. His peerage had been by the patent limited to his father, in case he died without issue. His father, after the death of the viscount's mother, married again. A French lady, Mademoiselle Pellesary, whose father held a high office under Louis the Fourteenth, was the object of his second choice. By this lady he had a second son John, who upon the death of his father succeeded to his title of Viscount St. John, but died before Bolingbroke. He left a son, Frederick, who inherited from his father the title of St. John, and from Bolingbroke, through his grandfather, that of Bolingbroke. As Frederick, who now united in himself the honours of the family, was related only by the half-blood to the original viscount, he succeeded to the title of Bolingbroke solely in right of his grandfather and by virtue of the limitation in the patent.

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The family estates had doubtless been entailed to pursue the same channel as the family honours, since Bolingbroke makes no mention of them in his will; but, on the contrary, laments his incompetency to do more than devise some trifling legacies.

The most important provision of his will relates to his Works. After enumerating all those papers which appeared in the Craftsman, and which had already been published; and also his Letters on History, which had been privately printed but not published; he says that he had not assigned the copyright of these works, and then bequeaths it to David Mallet with the liberty of reprinting them. He also bequeaths to him the copy of all the manuscript books which he should leave at the time of his death, and the whole of his library;—of itself no inconsiderable legacy, when it is considered that its collection had been long the object of Bolingbroke's peculiar care.

Mallet accepted the copyright of his friend's works with the full determination to make as much of his legacy as he possibly could; and he showed his eminent impartiality towards his patrons, by treating the memory of Bolingbroke with as little respect as he had that of Pope. The reputation of the author, or the interest of society, was to him no object of solicitude, when a respect for either threatened to lessen the number of his volumes, and to abridge his profits. Everything he could collect with sufficient readiness to gratify his impatience was

crowded together, and without commentary or preface hastily committed to the press. Mallet enjoyed some reputation as a biographical writer; a reputation which was obtained by his Life of Bacon, and was sustained rather by his promises than his performance. These promises he very liberally made to those who patronised him; he dropped from the historian of a hero to that of a player, from the Duke of Marlborough to Garrick, as the interest of the moment directed: he was paid by each, and he deceived both.*

* The Duchess of Marlborough bequeathed a thousand pounds to Glover and Mallet, to write the life of her husband, and left them the necessary papers, which she had originally delivered to Steele, who, instead of writing the life, pawned the materials. Glover abandoned to Mallet both the labour and the reward: the latter received the legacy with avidity, but never found time to perform the condition. His management of Garrick is thus related by Dr. Johnson: "Mallet, in a familiar conversation with Garrick, discoursing of the diligence which he was then exerting upon the life of Marlborough, let him know that in the series of great men quickly to be exhibited he should find a niche for the hero of the theatre. Garrick professed to wonder by what artifice he could be introduced; but Mallet let him know that by a dexterous anticipation he should fix him in a conspicuous place. 'Mr. Mallet,' says Garrick, in his gratitude of exultation, 'have you left off to write for the stage?' Mallet then confessed that he had a drama on his hands, and 'Alfred' was produced."—*Lives of the Poets.*

Davies, in his Life of Garrick, relates this affair more circumstantially. The story was too good not to get abroad, and poor Garrick was not spared by his acquaintance. A friend of his, who was a lawyer, begged of him to subscribe to an

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It is not impossible that Bolingbroke was another of his dupes; he might also have been led to believe that his editor would prefix to his works a life of the author; and although Mallet's blank verse is vapid and mediocre, his Life of Bacon is not destitute of elegance. We might have learned from him particulars of his contemporary which are now irrecoverably lost, and have possessed a finished picture of his character, instead of a sketch imperfectly filled up from the scattered lineaments which time has spared. If any such an expectation had been raised, nothing was further from Mallet's intention than its fulfilment; he confined his labours to the correction of the press. The commission would have been at least as well performed, had Bolingbroke left his works to a bookseller—perhaps better: we might possibly then have been furnished with some introductory remarks, pointing out the dates and occasions of the several pieces,—circumstances at that time well known, but now to be discovered only by scattered and often uncertain data.

But although Mallet was little solicitous to add to the value of his edition by any personal exertion, he was sufficiently rigorous in asserting his right to his new property. Bolingbroke's will declares that he had never assigned the copyright of his papers in the Craftsman, and therefore of course he retained in

edition of the Statutes at large which he was preparing, and in which he declared he had secured "a nice little niche for the hero of the theatre."

himself the legal right of reprinting them. These papers had however been frequently reprinted by Franklin, the publisher of the Craftsman, with Bolingbroke's tacit consent; and that person having undergone many prosecutions upon account of the papers contained in that periodical, naturally considered them as his own. This claim Mallet resisted, and not content with exerting an equal right of publishing the political works in his new edition, interdicted Franklin from reprinting them, and even from selling the copies he had upon his hands. Franklin offered to submit the case to arbitration, and Mallet consented; but having by some means ascertained that the arbitrators were about to adjudge an equal property in the Craftsman papers to each, Mallet suddenly revoked his submission. The bookseller revenged himself for this dishonourable conduct by printing and circulating a complete statement of the case, and appealing to the opinion of the public; a tribunal whose decisions Mallet but little regarded, while they did not interfere with his pecuniary interest.

This was a mere matter of private property: other parts of Mallet's conduct in this affair were productive of more public evil, and afforded proof that he had too surely imbibed the principles of his deceased patron, but wanted the virtue necessary to prevent their interfering with his practice.

The conduct of Bolingbroke in leaving his metaphysical essays among the works he bequeathed to

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Mallet, is difficult to be reconciled with his known and recorded sentiments. It has been said that he promised his relation, Lady Harlington, that they should never be published; and he always expressed himself in the most severe terms upon the conduct of those who attempt to subvert the established institutions of their country. He has not mentioned these essays in his will; and we may hope that he intended to destroy them—a task which the partial tenderness of an author would perhaps induce him to procrastinate to the last moment.

We may remember, that in a letter to Swift, which has been already quoted, alluding to these essays, he disclaims all intention of making them public; and the following extract from his correspondence will show, that however sincerely he believed the principles he professed, he acknowledged that they were fatally dangerous to society, and looked upon it as a highly criminal act to attempt to propagate them among the multitude. He is writing to Swift in the year 1724, when he says, "I must on this occasion set you right as to an opinion which I should be very sorry to have you entertain concerning me. The term *esprit fort*—in English, freethinker—is, according to my observation, usually applied to them whom I look upon to be the pests of society; because their endeavours are directed to loosen the bands of it, and to take at least one curb out of the mouth of that wild beast—man, when it would be well if he was checked by half a score others. Nay, they go far-

ther. Revealed religion is a lofty and pompous structure, erected close to the humble and plain dwelling of natural religion. Some have objected to you who are the architects *et les concierges* (we want that word in English) of the former,—to you who build, or at least repair the house, and who show the rooms,—that, to strengthen some parts of your own building, you shake and even sap the foundation of the other; but still your intention is not to demolish: whereas the *esprit fort*, or the freethinker, is so set upon pulling down your house about your ears, that if he was let alone he would destroy the other for being so near it, and mingle both in one common ruin. I therefore not only disown, but detest this character."*

How shall we account for the conduct which afterwards enrolled Bolingbroke among these "pests of society,"—these objects of his detestation? Shall we attribute it to the doting fondness of old age, or the accidental omission to perform a virtuous resolve? There is another hypothesis which was strongly urged at the time, but which will hardly be credited without stronger proof than we can adduce in its support. It was said, while the essays were passing through the press, that Bolingbroke, when he told Mallet that he had left him his MSS., exacted from him a promise that this should not be published, and that the editor to his other crimes added that of a breach of faith. This he strenuously denied; but the

* Swift's Letters.

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obnoxious work certainly formed a very large portion of the five quarto volumes in which his edition was comprehended.

It was also urged against him, that he had printed the Letters on History in a manner in which their author never intended them to go forth. Bolingbroke had, it was said, prepared a copy for the press, in which the most exceptionable parts of his third letter were marked in the margin with a deleatur; and this copy Mallet had found with his MSS., but had neglected to use. This the legatee also denied.

Another and more forcible appeal was made to him. As soon as it was publicly known that he had acquired the property of these works, Lord Hyde, to whom, when Lord Cornbury, the Letters upon History had been addressed, wrote him a letter equally distinguished for the justness of the conceptions and for the regard it manifests for the memory of his deceased friend. It is worthy of insertion.

"Paris, March 7th, N. S. 1752.

"I learn from England, sir, that Lord Bolingbroke has left his manuscripts to you. His friends must see with satisfaction those title-deeds of his reputation in the hands of the author of the Life of the great Lord Bacon, and you will have had the distinguished honour of having been guardian to the name of two of the greatest geniuses which our country, and perhaps humanity, has produced; but with greater honour to you in this last instance, be-

cause you are such by the designation and choice of the author himself.

"What works of his you may have for the public, I know not. That for which I was most solicitous (because I believed it would be most instructive to the world, and might be most for his honour) he told me himself he had laid aside. I mean the History of the Great Transactions of Europe, from the time when he began to consider and to know them. There remains of that, I believe, no more than a *Summary Review*, which I had the good fortune some time ago to draw from him, upon an application which I made to him to direct me in the study of history. You will probably have seen that summary review, which is in a collection of *Letters upon History*, which he did me the honour to write to me. It is but a sketch of the work he had proposed to himself; but it is the sketch of Lord Bolingbroke. He will probably have told you that those letters were by his directions delivered up by me to Mr. Pope, who burnt, as he told me, the manuscripts, and printed off by a private press some very few copies, which were to be considered still as manuscripts; one of which Mr. Pope kept, and sent another to Lord Bolingbroke. Sir William Windham, Lord Bathurst, Lord Marchmont, Mr. Murray, and Mr. Lyttelton, I think, had each one.

"I do not remember to have been told of any other copies given, except to myself—who have always preserved mine as I would a manuscript which was

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not my own, observing not only the restrictions which Lord Bolingbroke himself had recommended to me, but securing likewise, as far as I could even in case of my death, that this work should never become public from that copy which is in my possession. I enlarge upon this because I think myself particularly obliged, out of regard to Lord Bolingbroke, to give this account of that work to the person whom he has entrusted with his writings, in case you might not have known this particularly; and at the same time I think it my duty to Lord Bolingbroke, to myself, and to the world, to say something more to you in relation to that work.

"It is a work, sir, which will instruct mankind and do honour to its author; and yet I will take upon me to say that, for the sake of both, you must publish it with caution. The greatest men have their faults, and sometimes the greatest faults; but the faults of superior minds are the least indifferent, both to themselves and to society. Humanity is interested in the name of those who excelled in it; but it is interested before all in the good order of society, and in the peace of the minds of the individuals who compose it. Lord Bolingbroke's mind embraced all objects, and looked far into all, but not without a strong mixture of passions, which will always necessarily beget some prejudices and follow more. And in the subject of *religion* particularly, (whatever was the motive that inflamed his passions upon that subject chiefly,) his passions were there most strong; and

I will venture to say, (when called upon as I think to say it,) what I have said more than once to himself, with the deference due to his age and extraordinary talents; his passions upon that subject did prevent his otherwise superior reason from seeing that, even in a political light only, he hurt himself, and wounded society by striking at establishments upon which the conduct at least of society depends, and by striving to overturn in men's minds the systems which experience at least has justified, and which at least has rendered respectable, as necessary to public order and private peace, without suggesting to men's minds a better, or indeed any system.

"You will find this, sir, to be done in a part of the work I mentioned, where he digresses upon the criticism of *Church History*. While this work remained in the hands only of those I have mentioned, except, as I have been telling you, to himself and to them in private conversation, I have otherwise been silent upon that subject. But I must now say to you, sir, that for the world's sake and for his, that part of this work ought by no means to be communicated farther—and you will see that it is a digression not necessary to that work. If this digression be made public, it will be censured, it must be censured, it ought to be censured. It will be criticised too by able pens, whose erudition, as well as their reasonings, will not be easily answered. In such a case, I shall owe to myself and to the world to disclaim publicly that part of the work which he

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did me the honour to address to me; but I owe to the regard which he has sometimes expressed for me, to disclaim it rather publicly to you, sir, who are intrusted with his writings, and to recommend to you to suppress that part of this work (as a good citizen of the world) for the world's peace, and (as one entrusted and obliged by Lord Bolingbroke) not to raise new storms to his memory.

"I am, Sir,

"Your very humble servant,

"HYDE."

The answer of Mallet to this remonstrance, which does its author so much honour, is worthy of the man; it runs thus:—

"MY LORD,

"I received a very real pleasure, and at the same time a sensible concern, from the letter your lordship has honoured me with. Nothing could be more agreeable to me than the favourable opinion of one whom I have long admired for every quality that enters into an estimable and amiable character; but then nothing can occasion me more unhappiness than not to be able to suppress that part of a work which you would have kept from public view.

"The book was printed off before your lordship's letter reached my hands; but this consideration alone would have appeared trifling to me. I apprehend I cannot, without being unfaithful to the trust reposed in me, omit or alter anything in those

works which my Lord Bolingbroke prepared for the press, and I will publish no other. As to this in particular, his repeated commands to me were, that it should be printed exactly according to the copy he himself, in all the leisure of retirement, had corrected with that view.

"Upon the whole, if your lordship should think it necessary to disclaim the 'Reflections on Sacred History,'—by which I presume is meant some public and authentic declaration that your notions on this head differ entirely from those of your noble friend,—even in this case I am sure you will do it with all the delicacy natural to your own disposition, and with all the tenderness to his memory that the particular regard he always bore you can deserve.

"I am, with the greatest respect,

"My Lord," &c.

Mallet persevered in his intention; and on the 6th of March 1754, the complete edition of Bolingbroke's works appeared. It was received with the deepest regret by all who knew the author and who valued his memory,—who admired his genius, yet felt themselves compelled to condemn its perversion. The sorrow of his friends was equalled only by the triumph of his enemies. Those who had envied his superiority but trembled at his satire, now felt that they had a cause under which they could securely vent their malignity. The beast was dead, and his carcase offered a safe mark for every whipster's shaft.

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His works were denounced by the clergy from their pulpits, and presented by the grand jury of Westminster as a nuisance; the press teemed with pamphlets, letters, and critiques;* all the weapons of controversy were showered around the author's tomb. Warburton, whom Bolingbroke had ten years before completely silenced, now recovered from his terror, and placed himself at the head of the assailants; he published several anonymous pieces, and at length produced his "View of Lord Bolingbroke's Philosophy." This work met with a reception far different from that which its right reverend author had anticipated. Had Bolingbroke been an unpopular man, its success had been certain; it would have been eagerly read and universally approved. But the reverse was rather the case: his genius endeared him to many; he had exerted his talents in

* Among the numerous trifles which the appearance of these works called forth, was the following, from the pen of David Garrick. It occurs in an ode upon the death of Mr. Pelham, who died the same day that Mallet's edition came out.

"The same sad morn to church and state
(So for our sins 'twas fixed by fate)
A double stroke was given;
Black as the whirlwinds of the north,
St. John's fell genius issued forth,
And Pelham fled to heaven."

The idea is pretty; but Garrick would as soon have thought of whispering the name of Junius after the "Hark ye, Vagabond," of that mysterious personage, as he would have written these verses during the mortal career of the "fell genius."

opposition—that procured for him the favour of more; he had been unfortunate—that obtained for him the sympathy of the multitude. Some felt inclined to assist the man whom so many attacked, and all were secretly biassed in favour of the party who was unable to appear in his own defence.

Had Warburton's work been temperate or even decent in its language, the cause it espoused must have commanded for it respect; but the levity of its style was unbefitting its subject, and its violent abuse betrayed the bitterness of a personal enemy: the public universally condemned it, and its author exerted his episcopal privilege and condemned the public. To the second edition of his "View" he prefixed an apology for the work, and laments its ill success as a certain prognostic of the decay of religion and morality in the country. The deistical parts of Bolingbroke's works were afterwards much more temperately and more effectively answered by Leland.

Some years after Bolingbroke's death, a little work was published, called "A Vindication of Natural Society," purporting to have been written during his residence at Battersea. The argument goes to show that the division of mankind into artificial classes, into nations and tribes, has been productive of the greatest misery to the human race. The disastrous concomitants of conquest are painted in their sternest colours, and the evils inseparable from every form of government enumerated; but what the ultimate object of the work is, it is difficult to ascertain.

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It sufficiently proves, what has never been doubted, that all human institutions are imperfect, and that misery exists under every form of government; but if it is attempted to be argued, that because Agricola met with ingratitude, and Anaxagoras lived in exile, anarchy is preferable to the despotism of Rome or the democracy of Athens, we should rather doubt the author's sanity, than attempt to argue him out of his opinion. This work is not Bolingbroke's—no copy of it was found among his papers, nor was any proof ever offered of its genuineness. The peculiarities of his style are sometimes pretty closely imitated, and his enemies were eager to believe that he was equally an enemy to government and religion: but the attentive observer of Bolingbroke's style of thinking and writing will readily detect the imposition. The imitation is often overdone. There are some of his peculiarities, but we look in vain for his beauties.

Bolingbroke's Public Correspondence and State Papers, which were written while secretary of state, have since appeared, and swell the collection of his works to seven quartos. These, with his private letters, scattered through a variety of collections, form the monument upon which his fame is inscribed in characters that are now seen by us, and will be probably read by posterity as long as our literature shall endure. *

* The MSS. from which Mallet's edition of Bolingbroke's Works was printed were presented to the British Museum by that person's widow.

Bolingbroke's writings are characteristic of himself: the style of the author bears a close resemblance to the character of the man. Brilliant and imaginative, manly and energetic, his power of illustration never renders him frigid or bombastic. His energy never degenerates into coarseness. There is an elegance in his antithesis peculiarly his own; and if it occurs sometimes too frequently, the nervous sentiment it breathes tempts us to overlook the traces of art. His words are selected carefully,* and combined with skill; nor is it easy to convict him of a tedious or an ill-constructed sentence. But the peculiar charm in Bolingbroke's style is the exact and beautiful propriety of his illustrations. This is characteristic of all his works, but it is more striking in his earlier productions. Let us take one from the numbers which present themselves: it occurs in his Letter to Sir William Windham. "The ocean which environs us is an emblem of our government: and the pilot and the minister are in similar circumstances. It seldom happens that either of them can steer a direct course, and they both arrive at their port by means which frequently seem to carry them from it. But as the work advances, the conduct of him who leads it on with real abilities clears up, the appearing inconsistencies are reconciled; and when it is once consummated, the whole

* There are a few exceptions to this general observation. Bolingbroke has sometimes fallen into the error of his early friend Dryden, and has adopted words which never had or deserved any permanent place in our language.

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shows itself so uniform, so plain, and so natural, that every dabbler in politics will be apt to think that he could have done the same." Our language hardly contains an illustration more appropriate in itself, or more elegantly expressed.

The contemporaries of Bolingbroke placed him at the head of the writers of his age: their posterity have been less captivated with the beauties of his style, because they are less interested in the subject of his writings. Bolingbroke, Addison, and Swift were universally acknowledged as the triumvirate who infused an elegance into our language which was unknown to their predecessors. Among these the first place was assigned to Bolingbroke; and it would not be difficult to prove that he deserves it. Swift has never been thought of as his rival: his plain and unpretending language, so utterly devoid of figure or ornament, could never be compared with that of the man he was always ready to acknowledge as his master. Addison was equally elegant; but he was not more correct, and his diction is less vivid and striking. The subjects of his pen have been more popular, and his beauties therefore more extensively known; but if we compare the political writings of these two distinguished authors, we cannot hesitate a moment in awarding the superiority to Bolingbroke. The subjects of this great man's works were interesting only to his own age, and his fame suffered in proportion as they became forgotten. It was his misfortune, that he did not form the in-

tention of founding his reputation upon his writings until he was too old to execute it. The only work which could have placed that reputation beyond the influence of fashion or caprice was not early enough commenced, but was perhaps too despondingly abandoned.

His qualifications for eminence in any department of prose literature can hardly be doubted; but perhaps there was none for which he was less adapted than that which he latterly undertook. Bolingbroke could accomplish nothing in an ordinary or undistinguished manner; but upon some subjects, and peculiarly upon this, although he was superior to many others, he was unworthy of himself. Criticism, particularly when applied to history and chronology, requires labour, which he could not brook, and patience, which he did not possess. Bolingbroke's learning was multifarious and ever ready; but for this purpose it was insufficient. His acquaintance lay almost entirely with the Latin writers. Of the Greek he appears to have had little knowledge. When he quotes the historians of Greece, he always uses the Latin translation: when he cites the philosophers of that country, he has generally obtained their sentiments through Cicero or Lucian. The translations were little to be relied upon; and the channel through which his Grecian philosophy had flowed was easily traced. Both these expedients betrayed him into errors, and their frequent recurrence too surely pointed out the cause of his

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failures. In his Works, abounding as they do with Latin quotations, there is not a sentence of Greek to be found. In some of the later editions, passages referred to in the text have been printed in notes: but this has been the work of the Editor. The first edition, which is a literal transcript of the original MSS, contains no Greek whatever.

CHAPTER XXI.

Character of Bolingbroke — As a Statesman — As a Patron of Literature —As a Philosopher—As a Private Man.

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NEITHER genius nor exertion could secure to Bolingbroke success. As a writer, he is surpassed in popularity by many who are far his inferiors in merit; and as a statesman, the talents which raised him above his friends only served to render him a subject of particular hostility to his enemies. The brilliant metal attracts the lightning bolt—the splendour of Bolingbroke's talents drew upon him his ruin. Self-interest is a marvellous antidote to pity; and the minister could never begin to commiserate the man he could not cease to fear.

As a statesman, Bolingbroke cannot be judged by the principles or the politics of the present day. Faction during his age raged with a violence unprecedented in our history: it was as little indued with patriotism as it was tempered by moderation; the best interests of the country were unhesitatingly sacrificed to its selfish views: nor did it bring with it any attendant good to palliate its disastrous effects. It would be in vain to attempt to discover in the

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party leaders of that time any of those well-defined distinctions in their views of the broad principles of government, which before and since have rendered the opposition of the two parties in the state reasonable and even beneficial. The contest was only for power; principle held no place among their motives: but its absence was fully compensated by the increased potency of party honour. Harley, the leader of the Tories, was educated a dissenter, and never forgot the lessons of his youth. His ambition prompted him to forsake the political connexions of his family; but while he adopted the name of a Tory, he retained the principles of a Whig. Harcourt afterwards formed an efficient and willing member of a Whig ministry. The speech of Sir William Windham in favour of the repeal of the septennial act is as replete with Whig principles as any that ever proceeded from the mouth of Chatham or of Fox. Swift professed what we now understand by Tory principles only in the affairs of the church: when he ventures to lay down an abstract principle of government, it is usually such as at any other time we should ascribe to a Whig. Bolingbroke disdains disguise; he treats with the most unmitigated scorn the tenets which in his early youth had been universally held by Tories. According to the professed principles of the Whigs, he follows out the theory of our constitution—denounces every corruption which would mar its excellence, and allows no spurious expediency to assail its integrity. The

days of genuine Toryism passed with the Stuarts. The awakened eyes of an enlightened people now beheld in all their intrinsic absurdity the terrible phantoms which had thrown such a charm over the drowsy faculties of their fathers. No other anomalies had yet arisen to sufficient importance to become the favoured objects of a party's reverence: there was no lasting or well-defined line of demarcation.

Such being the state of parties while Bolingbroke acted as a minister, in judging his acts we must make allowances for the violence with which he was opposed. In negotiating the treaty of Utrecht, we must remember that he had to combat not only the open enemies of his country, but also the opposition of her allies and a powerful faction at home. The provisions of this treaty cannot be justified, but Marlborough and his adherents should share the blame; and when we condemn Bolingbroke as influenced by a criminal ambition, in preferring a dishonourable peace to a secession from office, it would be unjust to forget that his retirement would have been the signal for the recommencement of the war, and that while Marlborough led the councils as well as the armies of England, all expectation of peace must be distant, if not hopeless.

We shall not rank Bolingbroke's ambition among his vices. In a statesman this sentiment becomes an instrument of good or evil, as it is tempered with patriotism or adulterated with faction. That the latter motive too often animated him, he has

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himself confessed with contrition. Let his repentance and his after practice atone for his political errors.

Bolingbroke's enemies have attempted to blacken his political character by repeated accusations of ingratitude; but no charge can be more unfounded or more completely at variance with his general disposition. He has been charged with successively betraying nearly every minister with whom he acted, and of returning the obligations of others with bitter opposition. Godolphin, Marlborough, Harley, Walpole, are all said to have been the victims of his duplicity and treachery: but general assertions are easily made, and a very small degree of proof will give them currency among those who are already prejudiced against their subject. From Godolphin and Marlborough, Bolingbroke never received any favours which could demand his gratitude; his introduction into that administration was owing only to Harley, with whom he acceded to and left office. His motion in the Commons respecting the fifteen millions of public money said to have been unaccounted for, was certainly directed against Godolphin, and he doubtless joined in the prosecution of Marlborough. The first measure, if well founded, was an act of duty from which he could not shrink without drawing upon himself an equal share of guilt: if it was not well founded, the inquiry could only end in the triumph of the accused. The second measure was not only called for by justice as well as

policy, but it was an act of self-defence. The duke was incorrigible,—he lent all the influence his station gave him to oppose that party which conferred it: a disclosure of his corrupt practices was the only means of preventing their continuance. When we remember the violence of political animosity at the time, and the treatment which Bolingbroke afterwards received from the duke and his friends, we are inclined rather to admire his moderation, than censure him for forgetting imaginary favours.

We must remember also, that although Bolingbroke combated the duke as a political enemy, his hostility was never acrimonious or personal. Long afterwards, in familiar conversation, when some of his friends were dwelling upon Marlborough's faults, Bolingbroke checked the speaker by saying, "The Duke of Marlborough was so great a man that I have forgotten his vices."* Some years afterwards, when collecting materials for his projected History, he applied to the duchess for some papers concerning her husband: "For," he says, "although I shall touch very lightly marches, battles, sieges, encampments, and that inferior detail of history,—for such I think it,—yet I should be glad to do justice to my late Lord Marlborough, where I can do it with truth on my side."† The duchess probably appreciated his offer, since we find her soon after accepting from him an inscription for the column she was then

* Voltaire's Letters upon the English Nation.

† Letter to Sir Wm. Windham, Egremont Papers.

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erecting at Blenheim.* In the composition of this inscription, Bolingbroke followed the most approved of the ancient models, and hence it has been censured as stiff and harsh: in the matter, he judiciously consulted the fame of his subject when he confined himself to a bare relation of his triumphs and rewards. Bolingbroke's conduct towards Harley and Walpole requires little comment. Harley attempted to use him; and when he found him too important, intrigued to discharge him. The animosities of these two statesmen have been too minutely recounted to leave any place for an accusation of ingratitude against either. With regard to Walpole, he hated Bolingbroke, and was hated by him in return. So unconquerable was this feeling, that after the bill which restored him his property had passed, when Bolingbroke paid a formal visit of acknowledgment to the minister at Chelsea, he found the effort too great, and, after sitting down to dinner, his emotion was so violent that he abruptly arose and went away.† That Bolingbroke owed any obligation to Walpole, that minister himself explicitly denied, when he declared that the act which restored him to his property was entirely obtained by the Duchess of Kendal, who received eleven thousand pounds from Lady Bolingbroke for her interest. This declaration is contained in some minutes of a conversation preserved by Etough among the Etough Papers. Horace Walpole contradicts every historical record

* Spence. † Horace Walpole's Memoirs.

of the time, as well as the express declaration of his father, when he attempts to found for him a claim upon Bolingbroke's gratitude." *

In regarding Bolingbroke as a philosopher, we must carefully separate his practical from his speculative opinions. In the former he is generally right, in the latter as generally wrong. There is a spirit of calmness and content breathing throughout his tracts upon practical philosophy, which declares how well he had studied and how deeply he felt the consolations he recommended. Occasionally, indeed, the gusts of his stormy ambition swept across his

* Mr. Coxe, in his Memoirs of Lord Walpole, confesses that it was nothing' less than a threat of dismissal which at last brought Walpole to consent to the bill in Bolingbroke's favour. Of Bolingbroke's political character, Horace Walpole says: "His own age regarded him either as the greatest statesman oppressed by faction, and the greatest genius persecuted by envy; or as the most consummate villain preserved by clemency, and the most treacherous politician abandoned by all parties whom he had successively betrayed." Walpole loses no time in vindicating his title to a conspicuous place among those who held the latter opinion. Genius he *must* allow him; he could not deny it to a man who had been his father's rival: but here his admissions end; the rest of the character is as dark as party enmity could make it. See his Memoirs of the Reign of George II., vol. i. p. 192. How totally does this author's practice differ from his professions! In another part of the same work he says: "Does then the province of praise or censure depend on the felicity of choosing one's party? That shall never influence me: I would as soon wish to be rejected for flattering one party as for blaming another." —Vol. i. p. 208. Yet there are few works which have less claim to impartiality than Walpole's Memoirs.

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mind; but their influence was but transient: they passed away, and Philosophy resumed her seat,—taught him again to enjoy the present, and to look with indifference upon the past. An enemy has declared, that all his philosophy was but feigned; that he himself was miserable in the retirement which he made delightful to all who were permitted to share it. The assertion is specious, but unjust. In a mind so constitutionally restless and ambitious, we wonder rather that the strongest self-discipline could have gained for philosophy any influence at all, than that resentment and regret should sometimes swell within him, and occasionally burst the fetters by which they had been confined. We have already alluded to the air of resignation which characterises his familiar correspondence: could these letters have been written by a man who was habitually harassed by the bitterness of disappointed ambition? The mask might *perhaps* have been preserved in his formal appearances in public; but would it have been retained in the unsuspecting interchange of private friendships? The philosophy of Bolingbroke was not feigned; in his character, as in that of all other men, there were inconsistencies, but he habitually practised what he taught. The dictates of philosophy were the rule of his life—his occasional deviations from them the exception.

His speculative philosophy we have already considered; but in practice he frequently felt the dreariness of his creed, and, in his letters to his friends,

regrets that his reason should deprive him of the pleasure of believing that there is a future state, where their intercourse would be uninterrupted, and their happiness unalloyed. His thoughts upon this subject seem to have taken the same course with those of the poet who imitated him in his infidelity and surpassed him in the order of his genius. He also would have exclaimed—

" How sweet it were in concert to adore,
With those who made our mortal labours light;
To hear each voice we fear'd to hear no more,
Behold each mighty shade reveal'd to sight,—
The Bactrian Samian sage, and all who taught the right!"

But his distorted reason checked the aspiration, and he returned in thought to mere material mortality.*

" Lord Bolingbroke," says Pope, " is above trifling. When he writes of anything in this world, he is more than mortal. If ever he trifles, it must be when he turns divine."

But we must not forget the constant and effective patronage which Bolingbroke afforded to the literature of his country. What he excelled in himself, he admired in others. This feature of their administra-

* " Is it that they who are to live together in another state (for *vera amicitia non nisi inter bonos*) begin to feel more strongly that divine sympathy which is to be the great band of their future society? There is no one thought that soothes my mind like this. I encourage my imagination to pursue it, and am heartily afflicted when another faculty of the intellect comes on me boisterously, and wakes me from so pleasing a dream,—if it be a dream."—*Letter from Bolingbroke to Swift*—*Swift's Letters.*

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tion, so honourable to both, is the only object in which Oxford and Bolingbroke were cordially agreed. There are few literary characters of the day, whose names have descended to us, who have not confessed and celebrated the liberality and taste of these statesmen. St. John, with a kindness which savoured more of generosity than prudence, would sometimes cherish those talents which were most constantly employed against him; and Swift seldom found it difficult to secure his influence in behalf of a distressed writer, even though he were a Whig. Even Steele experienced proofs of his consideration, which he was but little careful to deserve. His urbanity is the frequent theme of the poets of his own party; and although some of those whom he most aided are now but little known, this fact rather attests the extent of his bounty than impugns the correctness of his taste. Pope wanted not his assistance; Dryden, Prior, Gay,* and Thomson, needed and obtained it. In

* Gay inscribed his Pastorals to Lord Bolingbroke. Some parts of this Prologue are pleasing specimens of the poet's style:—

Lo! I who erst beneath a tree,
Sung Bumkinet and Bouzybee,
And Blowzelind and Marian bright,
In apron blue or apron white,
Now write my sonnets in a book,
For my good Lord of Bolingbroke.

In describing the people he saw at court, he says,—

There saw I St. John, sweet of mien,
Full steadfast both to Church and Queen,

the days of Dryden his means were small; but his exertions in behalf of Prior show what he would have done for one so far his superior, had his opportunities been equal to his friendship. Gay and Thomson were unknown to him, until his sun had set; their obligations to him are therefore less notorious, although perhaps no less real. These were men who could well reward the patronage they received. There are others whose more feeble voices scarcely reach us; but in these whispers we can always distinguish the name of St. John. Fenton, a poet less remembered for his poetry than for Lord Orrery's remark that he died of an easy chair and two bottles

---

With whose fair name I'll deck my strain—
St. John right courteous to the swain.
For thus he told me on a day,
"Trim are thy sonnets, gentle Gay;
And certes mirth it were to see
Thy joyous madrigals twice three
With preface meet, and notes profound,
Imprinted fair, and well y-bound.
All suddenly then home I sped,
And did even as my lord had said.
Lo! here thou hast mine eclogues fair;
But let not these detain thine ear:
Let not the affairs of state and kings
Wait while our Bouzybeus sings.
Rather than verse of simple swain
Should stay the trade of France or Spain,
Or for the plaint of parson's maid
Yon emperor's packets be delay'd,
In sooth, I swear by holy Paul,
I 'd burn book, preface, notes, and all.

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of port a day, has ranked it among the most impossible of attempts

To make harmonious St. John more polite.

Dr. King addressed him a poetical welcome upon his return from his mission to France; and we certainly owe the existence of John Phillips' "Blenheim" to his patronage. Whether that obligation be very great, may perhaps be questioned; but the poem is equal to any other upon the same subject. It was written at Bolingbroke's country residence, and contains some lines of eulogy which do more honour to the liberality of the patron than the candour or taste of the poet.

Thus from the noisy crowd exempt, with ease
And plenty blest, amid the mazy groves,
Sweet solitude! where warbling birds provoke
The silent muse, delicious rural seat
Of St. John, English Memmius, I presumed
To sing Britannic trophies, inexpert
Of war, with mean attempt; while he, intent
(So Anna's will ordains,) to expedite
His military charge, no leisure finds
To string his charming shell. But when return'd,
Consummate Peace shall rear her cheerful head;
Then shall his Churchill, in sublimer verse,
For ever triumph; latest times shall learn
From such a chief to fight, and bard to sing.

The same poet, who seems to have always resided with St. John when absent from Oxford, has addressed to him a very elegant Latin ode, in return for a present which seems to have had great charms for the muse of Phillips. Dr. Johnson tells us it consisted of wine and tobacco.

It should not be forgotten, as an honourable instance of the triumph of the love of literature over party feeling, that when Addison's Cato was first produced, Bolingbroke took his friends to the house, and rewarded Booth liberally for his representation of the hero. Spence, who relates this anecdote, adds, that this circumstance contributed much to the success of the play.

Bolingbroke's private, like his public life, offers much subject both for praise and blame. His passions were as fiery as his genius; and in his youth he disdained to control the one, or to regulate the other. Although eminently gifted with those shining qualities which captivate and ensnare, he took little pains to improve the opportunities he possessed; and his intrigues were rather numerous than select. He was not very fastidious in choosing his companions of either sex; but no man was more careful in the selection of a friend. There were few men whom he ever admitted to this distinction, and of these none ever deserted or betrayed him.* The ambition which would allow him to brook no equal in the administration of government, prompted him to domineer in private: his friendship was offered only to those whose kindred genius marked them as his equals, and even by these he could never believe that he was loved until he was implicitly obeyed.

* Prior's conduct was certainly equivocal; but there is hardly sufficient proof to mark him as an exception to this general observation.

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The estimation in which his friendship was held, appears from the readiness with which the superiority he assumed was conceded: even Pope and Swift owned in him a master.

His friendship, when once gained, was warm and generous; and his correspondence with his two most peculiar friends contains the most genuine effusions of that sentiment. As a letter-writer, he stands unrivalled.* The biographer of Swift readily admits the superior excellence of the letters of Bolingbroke. He acknowledges that they are written with an elegance and politeness which distinguish them from those of his illustrious friends. "We see," exclaims Lord Orrery, "they were not intended for the press; but how valuable are the most careless strokes of such a pen!"†

The brilliancy of his conversation was to his con-

* Sir Robert Walpole, in his reply to the Occasional Writer, says he has heard of the beautiful obscenity of Bolingbroke's letters. No charge could be more unfounded: all his writings are strictly, for his age surprisingly, chaste. In the whole of Bolingbroke's letters, it would be difficult to discover one impure idea. The same cannot be said of his accuser. The same pamphlet which contains this charge, contains much that is obscene: but the obscenity is gross, not beautiful.

† Life of Swift, p. 235. Dr. Johnson hated Bolingbroke. In his Life of Pope, he differs from Lord Orrery, and speaks of his letters as written in the laboured style of a professed author. The doctor must have known that those styles which appear the most laboured, are frequently the most rapid. Try Dr. Johnson's letters by the test he applies to those of Bolingbroke, and they will appear by far the more laboured and artificial.

temporaries a subject of universal admiration: he wanted no accomplishment which could enable him to shine. In the senate, he was the most eloquent orator; in the drawing-room, the most finished gentleman. To the ordinary accomplishments of his age he added the less usual knowledge of the European languages: he spoke Italian with ease and purity, and his perfect skill in French has already been noticed: Voltaire says of him, "*Je n'ai jamais entendu parler notre langue avec plus d'énergie et de justesse.*"*

The delicacy of his taste was seen in the beauty of his country retreats, and the rural wildness of his grounds. His friends discovered it in everything he planned and in everything he performed. The celebrity of Dawley was in its day as great as that of Twickenham; and even history has not disdained to celebrate Lord Bolingbroke's charming retreat near Orleans.† But all traces of these favourite spots,

"Where nobly pensive St. John sat and thought,"

has passed away. The Loiret indeed still gushes

* Letter to Tiriot. In his "Discours sur la Tragédie," prefixed to Brutus, and addressed to Bolingbroke, he repeats the same sentiment. "Souffrez donc que je vous présente Brutus, quoiqu'écrit dans une autre langue; à vous, 'docte, sermones utriusque linguæ;' à vous qui me donneriez des leçons de François aussi bien que d'Anglois; à vous qui m'apprendriez du moins à rendre à ma langue cette force et cette énergie qu'inspire la noble liberté de penser: car les sentimens vigoureux de l'ame passent toujours dans le langage; et qui pense fortement, parle de même."

† French Continuation of Rapin, tom. xiii. p. 441.

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from the earth; but the chateau is no longer the same. Dawley has been long since pulled down; and even the ancient seat of the St. Johns at Battersea, venerable as it was for its antiquity, has ceased to exist as a mansion. The scanty remains have been converted into a mill; but the ruins yet bear testimony to the splendour of the ancient house. It is still known in the neighbourhood as the residence of Bolingbroke; and Tradition, with her usual admixture of truth and error, points out a dilapidated chamber as that in which Pope composed his Essay on Man.

APPENDICES.

APPENDIX, No. 1.

BOLINGBROKE'S POEMS.

COPY OF VERSES PREFIXED TO DRYDEN'S VIRGIL IN 1697.*

No undisputed monarch govern'd yet
With universal sway the realms of wit.
Nature could never such expense afford;
Each several province own'd a several lord.
A poet then had his poetic wife,
One Muse embraced, and married for his life:
By the stale thing his poetry was cloy'd,
His fancy lessen'd, and his fire destroy'd.
But Nature, grown extravagantly kind,
With all her fairest gifts adorn'd your mind:
The different powers were then united found,
And you the universal monarch crown'd.
Your mighty sway your great desert secures,
And every Muse and every Grace is yours.
To none confined, by turns you all enjoy!
Sated with these, you to another fly;

* These Verses have been omitted in the subsequent editions.

So, Sultan-like, in your seraglio stand,
While wishing Misses wait for your command;
Thus no decay, no want of figure find;
Such is your fancy, boundless as your mind!
Not all the blasts of Time can do you wrong;
Young spite of age, in spite of weakness strong.
Time, like Alcides, strikes you to the ground;
You, like Antæus, from each fall rebound.

COPY OF VERSES PREFIXED TO "LE CHEF D'ŒUVRE D'UN INCONNU."

To the Ingenious and Learned Doctor Mathanasius, on his most elaborate Commentary on the excellent Masterpiece of an Unknown Author.

Great Mathanase, in quest of this rich ore,
You've boldly launched out new worlds to explore;
You've found a fruitful soil by none yet trod,
Reserved for heroes or some demi-god:
The product here you've bravely made your own,
And by just title you deserve a crown.
No undisputed monarch govern'd yet
With universal sway the realms of wit.
Nature could never such expense afford;
Each several province had a several lord.
But now, become extravagantly kind,
With all her treasures she adorns your mind:
Her different powers are here united found,
And you Wit's universal monarch crown'd.
Your mighty sway your great desert secures,
And every Muse and every Grace is yours.
To none confined, by turns you all enjoy!
Sated with this, you to another fly.

So, Sultan-like, in your seraglio stand,
While wishing Misses wait for your command.
Thus no decay, no want of vigour find;
Sublime your fancy, boundless is your mind!
Not all the blasts of Time can do you wrong;
Young spite of age, in spite of weakness strong.
Time, like Alcides, strikes you to the ground;
You, like Antæus, from each fall rebound.

HENRICUS DE BOLINBROKE,

Annæ à secretis.

ALMAHIDE—AN ODE.

I.

LONG have I wander'd from the Muses' seat,
Where, ever present to the poet's eyes,
A thousand grateful objects rise;
Where all is gay and all is sweet;
Where, when past images we find
By Memory with these combined,
She from her store of fading sense can move,
And frame no fancy but of joy and love;
Where every Muse and every Grace resides,
The sacred temple where Apollo hides
From the profane and vulgar eyes
His awful mysteries.
This blooming garden of the Delian god
Long since I left, new paths to try;
On rough uneven ground I trod,
And sought the gloomy dark abode
Of Wisdom and Philosophy.

II.

From hence escaped, with joy to thee I come;
Thee I revisit now, my native home!
That magic land no more I'll tread,
Nor drink of those lethargic streams,
That with their poison taint the blood,
And stop the sprightly purple flood,
That upward to the sickly head
Send lazy vapours—idle dreams.
Again I'll taste of the prophetic rill,
Which rises fast by the Pierian hill.
Phœbus all other nymphs forsook
To chase Castalia, young and fair:
To bathe in her delightful waves,
All other waters now he leaves;
He loosens here his golden hair,
And plunges in the lucid brook.
Once the coy maid refused the grace,
And would not suffer his divine embrace:
Now wiser grown, no more she'll fly,
But clasps the god, and hugs the naked deity.

III.

As mariners their canvass wings distend,
Leaving the pole to every northern blast;
Southward their courses bend,
And th' arctic circle past,
The temperate zone with pleasure meet,
With pleasure feel the growing heat;
And as they nearer to him run,
Salute the long abandon'd Sun:

Thus from the frozen skies,
Where once benumb'd she lay,
My Muse to milder regions flies,
And to Parnassus wings her way.

IV.

Methinks already in my heart
I feel a secret warmth arise,
Which thence diffused to every vital part,
Glows in my face and sparkles in my eyes.
I see the summit of the hill
With spires of glory crown'd;
And nearer now I see the mound,
(Such was Apollo's will,)
Raised by the Muses to keep off the crowd
Of thronging poets, insolent and loud,—
Wretches, whom though he deigns not to inspire,
Would yet be placed among the golden choir.

V.

Here Garth appears, to whom consign'd
The double charge of health and wit we find.
Apollo, grieved to see his arts disgraced,
Physic and Poetry at once debased,—
Their sacred ends, for public good design'd,
Perverted to destroy and plague mankind,—
To Garth the double charge imparts
Of living verse and healing arts:
Him when the god resolved to send,
He bid Hygeia on his steps attend—

Bid every Muse and every Grace prepare,
To warm the bard with all their fires,
To join his song with all their lyres,
And make his matchless poem* all their care.

VI.

But now arrived, I mount the sacred hill,
And joy and rapture all my senses fill;
My melancholy thoughts retire apace,
And fly like demons from the place.
I feel, I feel the god return!
He takes possession of my breast,
And I with all his fury burn:
Again I feel the pleasing smart;
Love fills his ancient throne—my heart,
A charming tyrant and a welcome guest.

VII.

I know you well, you silent groves,
Conscious of my secret loves!
Tell me how often have I found,
Beneath your gentle shade,
In pensive act upon the ground,
The mournful Strephon† laid;
Strephon, the glory of our British plains,
The wish of all the nymphs and envy of the swains:
How often have I heard his charming voice
Through all the neighbouring hills resound,
While greedy echoes catch the sound,
And to repeat the heavenly notes rejoice.
With Myra‡ he begins his lays,
And ends 'em all in Myra's praise;

* The Dispensary. † Geo. Granville, Esq. afterwards Lord Lansdown.
‡ Duchess of York.

Nothing but Myra dwells upon his tongue,
Charm of his heart and subject of his song!
Her beauty and her verse alike succeed,
Nor can oblivion fear,
For after ages shall with rapture read
What we with rapture hear.
The powerful lute on which the Thracian play'd
Was by the Muses to the skies convey'd;
One more bright star shall in the field appear,
And Granville's pen adorn the glittering sphere.

VIII.

But soft! I hear
The sounding lyre,
And see the god is near,
And all the tuneful choir.
I've reach'd the towering height—
'Tis here the Muses stay;
From hence I'll take my flight,
And wing my airy way.
Aloft my Muse and I will go;
She scorns to aim at little things,
At heroes or at kings—
She cannot stoop so low:
To Almahide address my song,
It does of right to her belong;
Soar like the Theban Swan on high,
Nor be afraid to venture nigh
The flaming region of the sky.

IX.

Go on, my Muse, go on!
Boldly approach the sun,

And from his chariot-wheel
Attempt to steal
The sacred fire
That does the gods inspire.
Then may'st thou in immortal lays
A more than mortal beauty praise.
Or should thy melting pinions fail,
And I precipitate descend,—
Should my unlucky stars prevail,
And give my days this fatal end,—
Yet in the monuments of fame
I shall secure a lasting name.
And to have dared a thing so great,
Will place far above the power of fate;
Then when I draw my latest breath,
Should Almahide vouchsafe to smile,
That would compensate for my death,
And more than pay me for my toil.

X.

Stay, foolish Muse, thy hurry stay!
Where will thy madness run?
To Almahide direct thy way,
And seek no other sun.
'Tis she supplies,
With brighter eyes,
The distance of the god of day.
When they are shut in Britain, then 'tis night,
And we eternal darkness fear;
But when the radiant balls appear,
We feel their warmth and bless the rising light.
Thus shall my theme my song inspire,
And heat my breast with double fire;

And thus my humble genius raise,
High as the beauty that I praise.
Thus be my want of strength supply'd—
Thus may she grant what Nature has deny'd:
I ask no inspiration but from Almahide.

XI.

In the world's early days,
  When first religion did appear—
  Religion, which has cost mankind so dear;
When men began to raise
Gods to themselves, and then those gods to fear;
Chose various lords, and, tired of being free,
Of every virtue framed a deity;—
Had Almahide been known—
  Had she been born to shine,
  They had adored no other shrine,
And she had ruled the globe alone.
All these perfections are in her combined,
The form of Venus and Diana's mind;
Her rays a lustre like the sun's dispense,
And shed on all a bounteous influence.
A cruel glance from those fair eyes—
  A word by her in anger spoke,
    Gives more alarms
    Than Jove in arms,
And swifter than his lightning flies,
  And surer than his stroke.
Only below she could not dwell,
Or hell would be no longer hell;
At her approach the realms of woe
  Would change their horrid face,
The burning flood forget to flow,
  And furies fly the place.

XII.

And see the lovely form appear !
  Before my ravish'd eyes,
  Close to yon crystal stream the charmer lies—
Behold her, swains, behold her there !
Impending branches shield the fair,
And beds of camomile the beauteous burden bear.
  See how reclining on the grass,
  In this clear brook, her faithful glass,
First she collects her scatter'd hair;
    Then in tresses,
    As she dresses,
Places every flower that's gay—
Places all the pride of May,
  Not to adorn, but to compare.
In vain with hers their brightest colours vie ;
    The blushing rose
    Its weakness knows,
And vanquish'd lilies own her victory :
Nor raises she her head, but, downward bent,
Approves her form, and, smiling, seems content.
  Observe the troops of Loves
  That swarm about the groves,
Lean on their wings, and, hanging in the air,
Mistake the nymph and think their mother there.

XIII.

Gently, sweet Zephyr ! gently blow,
And make the injurious mantle rise,
And wound our hearts and please our eyes.
Unveil the nymph, dear Wind ! remove
Those clouds that hide this world of love !

And see, the friendly breeze obeys;
Saluting, he betrays.
Oh, give her slave to know
That sea of milk, those hills of snow,
And all the blissful vales of joy below!
He would, but can no more disclose—
Resisting robes oppose;
The thousand folds of that invidious vest
Inshrine their treasure and our sight arrest.
Corporeal eyes no farther reach;
But Fancy is not thus confined,—
Fancy can enter through the smallest breach,
And through the subtle plaits a passage find.
Thus having pierced the screen,
Fancy relates what she has seen,
And tires the soul while she instructs the mind.

XIV.

Thus we fond wretches court our fate;
And when the pointed darts
Increase the pains we might abate,
And plunge 'em in our hearts,
In vain we hope to find a cure,
No remedy is nigh—
Without relief we must endure,
And without pity die.
Fair Almahide gives love to all;
All that dare look, her victims fall:
But she herself receives from none,—
Or, what's the same to me, from one.
One happy man that dwells within those arms,
Tastes all her joys and rifles all her charms:

While dying crowds of lovers stand,
And look, and gaze, and wish to share;
But Virtue with her magic wand
Encircles round the happy pair.
Thus when the Moon on Larian Latmus lay,
And rapt in pleasure laugh'd her hours away,
Her beauty and her light to all mankind
Without distinction shined;
But to Endymion was her love confined.

N. B.—The last thought and the last line are taken from a paper of Verses of Lord Lansdown's. I think myself obliged to own the debt, though I am unable to pay it.

PROLOGUE TO "ALTEMIRA."

An ancient poet will appear to-night,
Raised from Elysium to the realms of light;
The softest charmer of a charming age
Assumes the buskin and ascends the stage,
To move your passions and your hearts engage.
But oh, how hardly will he reach his aim,
When love and honour are his only theme!
There was a time when all those passions felt,
And soothing bards could stubborn heroes melt;
An amorous monarch fill'd a peaceful throne,
And laughing Cupids perch'd upon his crown;
Still in some breasts the British spirit rose
Which scorns all chains but what the fair impose.
Then Altemira might have hoped success,
A tender audience sharing her distress:
Then heroes, govern'd by severer rules,
Had not been laugh'd at for romantic fools.

But in this iron age, your souls to move
In vain we try, by honour or by love:
The certain way to please your vicious taste
Are streams of blood and volleys of bombast.
Dancers and tumblers now the stage profane;
Music and farce alone our plays sustain,
And Art and Nature leave the trifling scene.
Yet critics sure, for their own sakes, to-day,
The poet dead, will not condemn the play.
If you are wise, your usual spite forbear—
Confine at least your follies to this sphere:
Let not the bard who to Elysium goes,
Your shame to all the fleeting shades expose:
For living wits your blasting censure save,
But let our poet's laurel screen his grave.

TO MISS CLARA A——S.

Dear, thoughtless Clara, to my verse attend,
Believe for once thy lover and thy friend.
Heaven to each sex has various gifts assign'd,
And shown an equal care of human kind.
Strength does to man's imperial race belong;
To yours, that beauty which subdues the strong.
But as our strength, when misapplied, is lost,
And what should save, urges our ruin most;
Just so, when beauty prostituted lies,
Of bawds the prey, of rakes the abandon'd prize,
Women no more their empire can maintain,
Nor hope, vile slaves of lust, by love to reign:
Superior charms but make their case the worse,
And what should be their blessing proves their curse.

O nymph! that might, reclined on Cupid's breast,
Like Psyche, soothe the god of love to rest;
Or if ambition moved thee, Jove enthrall,
Brandish his thunder, and direct its fall!
Survey thyself, contemplate every grace
Of that sweet form, of that angelic face;
Then, Clara, say, were those delicious charms
Meant for lewd brothels, and rude ruffians' arms?
No, Clara, no! that person and that mind
Were form'd by Nature, and by Heaven design'd
For nobler ends: to these return, though late—
Return to these, and so avert thy fate.
Think, Clara, think, nor will that thought be vain,
Thy slave, thy Harry, doom'd to drag his chain
Of love ill-treated and abused, that he
From more inglorious chains might rescue thee:
Thy drooping health restored by his fond care,
Once more thy beauty its full lustre wear;
Moved by his love, by his example taught,
Soon shall thy soul, once more with virtue fraught,
With kind and generous truth thy bosom warm,
And thy fair mind, like thy fair person, charm.
To virtue thus and to thyself restored,
By all admired, by one alone adored,
Be to thy Harry ever kind and true,
And live for him who more than dies for you.

These verses were preserved in Dodsley's Collection; but they have been reprinted in Horace Walpole's long posthumous work, 'Memoirs of the last Ten Years of the Reign of George II.' It seems that Clara continued thoughtless, or Harry broke his chain, for the nymph not long afterwards resumed her occupation of orange-girl in

the Court of Requests. The Court of Requests was the lobby of the then House of Lords, and a fashionable lounging-place.

A PARAPHRASE,

WRITTEN IN A POSTCHAISE IN THE YEAR 1719.

———Vides, quæ maxima credis
Esse mala, exiguum censum, turpemque repulsam,
Quanto devites animi capitisque labore. HOR. Epis. L. 1.

SURVEY mankind, observe what risks they run,
What fancied ills through real dangers shun;
Those fancied ills, so dreadful to the great,
A lost election or impair'd estate.
Observe the merchant, who, intent on gain,
Affronts the terrors of the Indian main;
Though storms arise, and broken rocks appear,
He flies from poverty, and knows no other fear:
Vain men, who might arrive, with toil far less,
By smoother paths, at greater happiness;
For 'tis superior bliss, not to desire
That trifling good which fondly you admire,
Possess precarious, and too dear acquire.
What hackney gladiator can you find,
By whom th' Olympic crown would be declined?
Who, rather than that glorious palm to seize,
With safety combat, and prevail with ease,
Would choose on some inglorious stage to tread,
And fighting, stroll from wake to wake for bread?

No. II.

ARTICLES OF IMPEACHMENT OF HIGH TREASON AND OTHER HIGH CRIMES AND MISDEMEANOURS, AGAINST HENRY VISCOUNT BOLINGBROKE.

Whereas a treaty of alliance was made and concluded on or about the 7th day of September 1701, between Leopold, then Emperor of Germany, his late Majesty King William the Third of ever-glorious memory, and their High Mightinesses the States General of the United Provinces, for repelling the greatness of the common danger which threatened all Europe from the Duke of Anjou's having taken possession of the Monarchy of Spain; wherein it was, among other things, agreed, "That, in case the said confederates shall be forced to enter into a war, they shall communicate their designs to one another, as well in relation to the actions of the war, as all other things wherein the common cause is concerned: and that it shall not be permitted to either party, when the war is once begun, to treat of peace with the enemy, unless jointly and by a communication of counsels:" And, in and by a defensive treaty and alliance, made and concluded in or about the month of November 1701, between his said late Majesty King William the Third and the States General, it was, among other things, expressly agreed, "That when the war is begun, the said confederates shall act in concert according to the 7th and 8th articles of the treaty of the 3rd of March 1677-8, between England and Holland; and that no peace nor truce or suspension of arms shall be negotiated or made, but according to the 9th and 10th articles of that treaty; by which it was agreed, that when the allies came once to open war, it shall be lawful for neither of them afterwards to come to any cessation of arms with him who shall be declared

and proclaimed an enemy, without it being done conjointly and with common consent; and that no negotiation of peace shall be set on foot by one of the allies without the concurrence of the other: and that each ally shall continually, and from time to time, impart to the other everything that passes in the said negotiation:" And, in and by a treaty entered into and concluded in or about the month of June 1703, between her late Majesty Queen Anne, of ever-blessed memory, and the States General, it was, among other things, agreed, "That all treaties and alliances then subsisting between them should be renewed and confirmed:" And whereas a long, bloody, and expensive war had been carried on, by her late Majesty, in conjunction with her said allies and other confederate princes, against France and Spain, as well in resentment of the indignity offered to these kingdoms, by their having acknowledged the Pretender king of these realms, as for obtaining a just satisfaction to his Imperial Majesty, and for the preservation of the Protestant religion, and the balance and liberties of Europe; and from the great successes with which it had pleased Almighty God to bless the confederate arms, they had just reason to hope for an honourable, good, safe, and lasting peace; and although the French King was encouraged, in or about the month of April 1711, to make propositions of peace to her late Majesty, signed by M. de Torcy, his Secretary of State, which her said Majesty having pleased to communicate to the Ministers of the States General, she did however, graciously declare, by Henry Viscount Bolingbroke, then Henry St. John, Esquire, and one of her principal Secretaries of State, her sentiments to them, "That the said propositions were too general;" and, at the same time, the said Viscount did, in her Majesty's name, and by her special command, give them her utmost and most solemn assurances, "That in making peace, as in making war, she would act in perfect concert with them;" in which sentiments the States concurring with her Majesty's reciprocal assurances of mutual confidence, so necessary to prevent the designs of the enemy, was returned by them to her Majesty; notwithstanding which,

ARTICLE I.

He the said Henry Viscount Bolingbroke, then being one of her Majesty's principal Secretaries of State, and of her most Honourable Privy Council; but having entered into a most treacherous confederacy with the ministers and emissaries of France, to frustrate the just hopes and expectations of her Majesty and her people, by disuniting the confederacy at the most critical juncture, when they were ready to reap the fruits of so many triumphs over the common enemy; and most wickedly intending, as far as in him lay, to enable the French King, so exhausted and vanquished as he had been on all occasions, to carry his designs, by a peace glorious to him, and to the ruin of the victorious allies, and the destruction of the liberties of all Europe; and having no regard to the solemn treaties her Majesty then stood engaged in, nor to the honour or safety of these kingdoms; did, in or about the month of July or August, in the year of our Lord 1711, maliciously and wickedly form a most treacherous and pernicious contrivance and confederacy with other evil-disposed persons, then also of her Majesty's Privy Council, to set on foot a private, separate, dishonourable, and destructive negotiation of peace between Great Britain and France, without any communication thereof to her Majesty's allies, according to their said several treaties: and was not only wanting in his duty and trust to her Majesty, by not opposing, and, as far as was in his power, by not advising her Majesty against going into any private separate negotiation with France; but, in execution of his purposes aforesaid, he the said Henry Viscount Bolingbroke did advise her late Majesty to send Matthew Prior, Esquire, directly to the Court of France, to make propositions of peace, without communicating the same to her Majesty's allies; and accordingly the said Matthew Prior, by the advice and with the privity of him, the said Henry Viscount Bolingbroke, and other false and evil counsellors, in or about the months of July or August, in the year of our Lord 1711, was sent in a clandestine manner from England to France, and did communicate the said propositions

of peace to the ministers of France, in which the particular interests of Great Britain, as well as the common interest of Europe, were shamefully betrayed; and, in manifestation of his said design to exclude her Majesty's allies from their just share in the said negotiation, an express article was inserted in the said propositions, by the privity and advice of him the said Henry Viscount Bolingbroke, "That the secret should be inviolably kept, till allowed to be divulged by the mutual consent of both parties;" although the French King had, in the proposition signed by M. de Torcy, and transmitted in the month of April preceding, offered to treat with the plenipotentiaries of England and Holland alone, or jointly with those of the allies, at the choice of England; by which treacherous and dangerous advice, he the said Henry Viscount Bolingbroke did not only contrive and set on foot a negotiation of peace more advantageous to France than ever France itself had asked, but thereby did put it into the power of the common enemy to create incurable jealousies and discords between her Majesty and her faithful allies, and to destroy that confidence which had so long and so successfully been cultivated between them, and which was so necessary for their common safety.

ARTICLE II.

That the French King having, in or about the months of August or September 1711, with the privity and by the contrivance of the said Viscount Bolingbroke and others, sent over M. Mesnager into England, to carry on a separate and clandestine negotiation of peace; he the said Henry Viscount Bolingbroke did afterwards, in the said month of September 1711, or thereabouts, secretly and unlawfully, and without any colour of authority, meet, confer, and treat with the said Sieur Mesnager on the negotiations of peace between Great Britain and France; and therein did advise and promote the making a private and separate treaty or convention on the said subject of peace between the said crowns, without any communication thereof to her Majesty's allies: and the said Henry Viscount

Bolingbroke did afterwards, in violation of his oath and high trust, falsely and treacherously advise her late Majesty to sign powers to several persons, for concluding, on her behalf, a pernicious and destructive treaty or convention on the said subject of peace with France; and, on or about the said 27th of September 1711, a dishonourable, destructive, and fatal treaty or convention was concluded and signed by the said Sieur Mesnager on the part of France, and by the Earl of Dartmouth and the said Viscount, being then two of her Majesty's principal Secretaries of State, and of her Privy Council, on the part of her Majesty, by virtue only of a warrant under her Majesty's sign manual under the signet, directed to themselves, but not countersigned, and without the least knowledge or participation of the allies: in which treaty, the immediate interests of Great Britain are given up to France; and, the Duke of Anjou being therein admitted to remain King of Spain, the balance of power and the liberties of Europe were thrown into the hands of the House of Bourbon.

ARTICLE III.

That whereas her late Majesty Queen Anne did, on or about the first of October 1711, o. s. give instructions to Thomas Earl of Strafford, her Ambassador to the States General of the United Provinces, to communicate to them certain propositions of peace, which had been contrived and concerted between the said Sieur Mesnager and the said Viscount and others, intituled, "Preliminary Articles on the part of France to come to a general peace, together with her Majesty's sentiments and resolutions thereupon; and also her Majesty's further and particular resolutions concerning the prosecution and carrying on the war against France and Spain, in case the States were desirous to carry on the said war." And whereas, for several years before, and till the said month of October 1711, there was open war between her late Majesty and the French King; and the said war continuing, for all the said time and afterwards, the French King and his subjects were enemies to

her late Majesty; he the said Henry Viscount Bolingbroke, being then one of her Majesty's Principal Secretaries of State, and one of her Majesty's Privy Council, and a subject of her said Majesty, not considering the duty of his allegiance, but having altogether withdrawn the cordial love, and true and due obedience, which every true and faithful subject owned to her said Majesty, and designing to give aid and succour, and to adhere to the said French King against her said Majesty, did, on or about the 2nd of October 1711, during the said war, falsely, wickedly, maliciously, and treacherously aid, help, assist, and adhere to the said French King, and his subjects, enemies to her said late Majesty, against her said late Majesty; and, in execution and performance of his said aiding, assisting, and adhering, he did, on or about the 2nd of October 1711, falsely, maliciously, and traitorously disclose and communicate her Majesty's said instructions to her said Ambassador; and was privy to, and did advise, consent, or approve, that the same should be, and accordingly were, communicated and disclosed to the said Sieur Mesnager, a subject of the said French King, and an enemy to her late Majesty; and, in further execution and performance of his said aiding, assisting, and adhering, he the said Henry Viscount Bolingbroke did, in and by a letter, or writing, by him wrote to M. de Torcy, on or about the said 2nd day of October 1711, disclose, communicate, and notify, or did intend to notify, to M. de Torcy, a subject, minister, and secretary to the French King, and an enemy to her late Majesty, "That the said Sieur Mesnager was fully informed of her Majesty's said instructions to the Earl of Strafford;" thereby falsely, maliciously, and traitorously informing and advising the said M. de Torcy, from what persons, and by what means, he might come to the knowledge of her Majesty's said instructions, contrary to the duty of his allegiance, and the laws and statutes of this realm.

ARTICLE IV.

That whereas her late Majesty Queen Anne did, in or about the month of December 1711, in due form of law, under her great seal, constitute the Right Reverend John Lord Bishop of Bristol, and Thomas Earl of Strafford, her plenipotentiaries, with full powers and instructions to meet, treat, and conclude with the plenipotentiaries of her allies, and those whom the French King should on his part depute for that purpose, the conditions of a good and general peace; and whereas his Imperial Majesty, their High Mightinesses the States General of the United Provinces, and other her Majesty's allies, and the French King, having duly constituted and appointed their several and respective plenipotentiaries for the purposes aforesaid, the negotiations and conferences for a general peace were opened between them at Utrecht, about the months of January or February 1711, and the same continued till the 4th day of March 1711, and afterwards; and whereas, on the said 4th day of March 1711, there was open war between her late Majesty and the French King, and the same having continued for several years before, and at the same time and afterwards, the said French King and his subjects were during all the said time enemies to her said Majesty and her subjects; he the said Henry Viscount Bolingbroke, then being one of her Majesty's Principal Secretaries of State, and of her Privy Council, and a subject of her said Majesty, not considering the duty of his allegiance, but having withdrawn his duty and obedience from her said Majesty, and conspiring and confederating with the enemies of her said Majesty, and the subjects of the said French King, to give him aid and succour against her said Majesty, did on or about the said 4th day of March 1711, falsely, wickedly, and traitorously aid, comfort, assist, and adhere to the said French King, against her said Majesty; and in execution and performance of his said aiding, assisting, and adhering, he the said Viscount did, on or about the said 4th of March 1711,

falsely, maliciously, and traitorously communicate and disclose her said Majesty's then final instructions to her said plenipotentiaries relating to the said negotiations of peace; or was privy to, and did advise, and consent and approve, that the same should be, and accordingly the same were, communicated and disclosed to Abbot Gaultier, an agent and emissary of the said French King, and an enemy of her said Majesty; and, in further execution and performance of his said aiding, assisting, and adhering, he the said Henry Viscount Bolingbroke did, by a letter, or writing, wrote by himself, on or about the said 4th of March, falsely, maliciously, and traitorously disclose, communicate, and notify, or did intend thereby to communicate and notify, to M. de Torcy, a minister, secretary of state, and subject of the said French King, and an enemy of her said Majesty, "That the said Gaultier was informed of her Majesty's said instructions to her said plenipotentiaries;" thereby falsely and traitorously informing and advising the said M. de Torcy by what means, and from what persons, he might have the knowledge of her Majesty's said instructions, contrary to the duty of his allegiance, and the laws and statutes of this realm.

ARTICLE V.

That whereas the States General of the United Provinces were, in or about the months of September or October, in the year of our Lord 1712, in possession of the strong and important town and fortress of Tournay; and whereas the French King had, during the course of the said private, separate, and traitorous negotiation between him the said Henry Viscount Bolingbroke and others, and the ministers of France, signified his consent to the ministers of Great Britain, that the said town and fortress of Tournay should remain to the said States General, as part of their barrier; and whereas her Majesty, in her instructions of December the 23rd, 1711, to her plenipotentiaries at Utrecht, had expressly directed them to insist with

the plenipotentiaries of France, in the general congress, "That, towards forming a sufficient barrier for the States General, Tournay should remain to their High Mightinesses;" and did afterwards declare herself conformably thereto, in a speech to both Houses of Parliament, on the 6th of June, 1712, in which she communicated to them the terms whereon a peace might be made; and whereas, for several years before, and till the said months of September and October, in the year of our Lord 1712, there was open war between her late Majesty and the French King, and the said war continuing for all the said time and afterwards, the said French King and his subjects were enemies to her Majesty; he the said Henry Viscount Bolingbroke, then being one of her Majesty's principal Secretaries of State, and of her Privy Council, and a subject of her said Majesty, not considering the duties of his allegiance, but having altogether withdrawn the cordial love and true and due obedience which every true and faithful subject owed to her said Majesty, and designing to give aid and succour, and to adhere to the said French King, against her said Majesty, did in or about the months of September or October 1712, during the said war, falsely, maliciously, wickedly, and traitorously aid, help, and assist, and adhere to the said French King, then an enemy to her late Majesty, against her said Majesty; and, in execution and performance of the said aiding, assisting, and adhering, maliciously, falsely, and traitorously did counsel and advise the said enemy, in what manner and by what methods the said important town and fortress of Tournay, then in possession of the States General, might be gained from them to the French King, contrary to the duty of his allegiance, and the laws and statutes of this realm.

ARTICLE VI.

That whereas her late Majesty Queen Anne, not only in pursuance of the treaties she stood engaged in to her good allies, and in particular to his Imperial Majesty, for the reco-

very of the monarchy of Spain to the House of Austria, thereby to preserve a due balance of power in Europe; but also from her just resentments against the Duke of Anjou, who then styled himself King of Spain, and who, in defiance of her Majesty's title to the crown, had acknowledged the Pretender as King of Great Britain, and, on these just foundations, her Majesty had, in vindication of the honour of the crown, and in justice to her people, at a vast expense of blood and treasure, and on the earnest and repeated advices of her parliament, prosecuted a vigorous war against the said Duke of Anjou; and whereas, in the years of our Lord 1710, 1711, and 1712, the said open, bloody, and expensive war was carried on between her said late Majesty Queen Anne and the said Duke of Anjou, and during all the time aforesaid the said war did continue, and for all that time the said Duke of Anjou, and the subjects of Spain adhering to him, were enemies of her late Majesty; he the said Henry Viscount Bolingbroke, then being one of her Majesty's principal Secretaries of State, and of her Privy Council, and a subject of her said Majesty, not considering the duty of his allegiance, but having withdrawn his true obedience from her said late Majesty, did at several times, in the years of our Lord 1710, 1711, and 1712, falsely, maliciously, wickedly, and traitorously aid, help, and assist, and adhere to the said Duke of Anjou, then an enemy to her said late Majesty, against her said Majesty; and, in execution and performance of his said aiding, helping, and assisting, and adhering, and in confederacy and combination with the then enemies of her late Majesty, and with divers other wicked and evil-disposed persons, did, at several times, in the years aforesaid, advise and counsel the enemies of her late Majesty, against her said Majesty; and, in such counselling and advising did concert with them, and did promote the yielding and giving up Spain and the West Indies, or some part thereof, to the said Duke of Anjou, then in enmity with

her Majesty, against the duty of his allegiance, and the laws and statutes of this realm.

All which crimes and misdemeanours were committed and done by him the said Henry Viscount Bolingbroke, against our late sovereign lady the Queen, her crown and dignity, the peace and interest of this kingdom, and in breach of the several trusts reposed in him the said Viscount; and he the said Henry Viscount Bolingbroke was one of her Majesty's principal Secretaries of State, and one of her Privy Council, during the time that all and every the crimes before set forth were done and committed: for which matters and things, the knights, citizens, and burgesses of the House of Commons, in parliament assembled, do, in the name of themselves and of all the commons of Great Britain, impeach the said Henry Viscount Bolingbroke of high treason, and other high crimes and misdemeanours, in the said articles contained.

And the said Commons, by protestation, saving to themselves the liberty of exhibiting at any time hereafter, any other accusations or impeachments against the said Henry Viscount Bolingbroke, and also of replying to the answers which the said Henry Viscount Bolingbroke shall make to the premises, or any of them, or to any impeachment or accusation that shall be by them exhibited, according to the course and proceedings of parliament, do pray, that the said Henry Viscount Bolingbroke be put to answer all and every the premises; and that such proceedings, examinations, trials, and judgments may be upon them, and every of them, had and used, as shall be agreeable to law and justice: and they do further pray and demand, that the said Henry Viscount Bolingbroke may be sequestered from parliament, and forthwith committed to safe custody.

No. III.

ARTICLES OF IMPEACHMENT OF HIGH TREASON, AND OTHER HIGH CRIMES AND MISDEMEANOURS, AGAINST ROBERT EARL OF OXFORD AND EARL MORTIMER.

Whereas many solemn treaties and alliances have been formerly entered into between the Crown of England and other Princes and Potentates of Europe, for their mutual safety, and from the considerations of the common danger which threatened all Christendom from the immoderate growth of the power of France: and whereas the preventing the monarchy of Spain from coming into the hands of the House of Bourbon has for many years been a fundamental principle and maxim of union among the allies in order to preserve a just balance of power in Europe; and, to that end, as the designs of France on the Monarchy of Spain have from time to time appeared, new treaties and express stipulations have been entered into amongst the allies, to strengthen themselves against that approaching danger; and, on this foundation, a treaty for an intended partition, whereby a small part only of the dominions of the Crown of Spain was allotted to the House of Bourbon, was condemned by the wisdom of Parliament, as being highly prejudicial and fatal in its consequences to England, and the peace of Europe; and whereas the Duke of Anjou, grandson to the King of France, on the demise of Charles the Second King of Spain, took possession of the entire Monarchy of Spain, whereby the balance of power, the Protestant religion, and the liberties of Europe, were threatened with immediate danger; whereupon Leopold, then Emperor of Germany, his late Majesty King William the Third, of ever-glorious memory, and the

States General of the United Provinces, finding at that most critical juncture, that a strict conjunction and alliance between themselves was become necessary for repelling the greatness of the common danger from so great an accession of power to the then common enemy, did, in the year of our Lord 1701, make, form, and conclude a new treaty of alliance, whereby it was agreed, " That there shall be and continue between the said confederates, his sacred Imperial Majesty, his sacred Royal Majesty of Great Britain, and the Lords of the States General of the United Provinces, a constant, perpetual, and inviolable friendship and correspondence; and that each party shall be obliged to promote the advantages of the other, and prevent all inconveniences and dangers that might happen to them, as far as lies in their power. That the said allies desiring nothing more earnestly than the peace and general quiet of all Europe, have adjudged that nothing can be more effectual for the establishing thereof, than the procuring an equitable and reasonable satisfaction to his Imperial Majesty, for his pretension to the Spanish succession; and that the King of Great Britain and the States General may obtain a particular and sufficient security for their kingdoms, provinces, and dominions, and for the navigation and commerce of their subjects; that the said confederates therefore shall, in the first place, endeavour by amicable means to obtain the said satisfaction: but if, contrary to their expectations and wishes, the same is not had, the said confederates do engage and promise to one another, that they will assist each other with all their forces, according to a specification to be agreed upon in a peculiar convention for that purpose. That the confederates, in order to the procuring the satisfaction and security aforesaid, shall, amongst other things, use their utmost endeavours to recover the provinces of the Spanish Low Countries, that they may be a fence and rampart, commonly called a barrier, separating and dividing France from the United Provinces, for the security of the States General, as they have served in all times, till of late that the Most

Christian King has seized them by his forces; as likewise the Duchy of Milan, with its dependancies, as a fief of the empire, and contributing to the security of his Imperial Majesty's hereditary dominions: besides the kingdoms of Naples and Sicily, and the lands and islands upon the coast of Tuscany in the Mediterranean, that belonged to the Spanish dominions, and may serve to the same purpose, and will be also of advantage to the navigation and commerce of the subjects of the King of Great Britain and of the United Provinces. That, in case the confederates shall be forced to enter into a war, for obtaining the satisfaction aforesaid for his Imperial Majesty, and the security of his Majesty of Great Britain and the States General, they shall faithfully communicate their designs to one another, as well in relation to the actions of the war, as all other things wherein the common cause is concerned: that it shall not be permitted to either party, when the war is once begun, to treat of peace with the enemy, unless jointly and by a communication of counsels; and no peace shall be made unless an equitable and reasonable satisfaction for his Imperial Majesty, and the particular security of the kingdoms, provinces, dominions, navigations, and commerce, for his Majesty of Great Britain and the States General, be first obtained; and unless care be taken, by fitting security, that the kingdoms of France and Spain shall never come and be united under the same government, nor that one and the same person shall be King of both kingdoms; and particularly, that the French shall never get into the possession of the Spanish Indies; neither shall they be permitted to sail thither, on the account of traffic directly, or any pretence whatsoever; and lastly, unless full liberty be granted unto the subjects of the King of Great Britain and the States General, to exercise and enjoy all the same privileges, rights, immunities, and franchises of commerce, by sea and land, in Spain, the Mediterranean, and all lands and places which the King of Spain last deceased did possess at the time of his death, as well in Europe as elsewhere, which

they used and enjoyed, or which the subjects of both or either of them by any right, acquired by treaties, agreements, customs, or any other way whatsover, might have used and enjoyed before the death of the late King of Spain. That at the same time that the said agreement or peace shall be made, the confederates shall agree amongst themselves about all the things that they shall think necessary for maintaining the navigation and commerce of the subjects of his Majesty of Great Britain and the States General in the lands and dominions they may acquire, and that were possessed by the late King of Spain; and also in what manner the States General may be secured by the aforesaid fence or barrier." And whereas his said late Majesty King William and the States General, seriously considering that France was then become so formidable, from the accession of Spain to the Duke of Anjou, that in the opinion of all the world Europe was in danger of losing her liberty, and undergoing the heavy yoke of universal monarchy; and that the surest means of effecting that design were, to divide the King of Great Britain from the States General, for which purpose all imaginable efforts would be made,—they therefore thought it necessary to unite in the strictest manner that was possible: and, to that end, a defensive treaty and alliance was concluded and entered into between them, in or about the month of November 1701, wherein it was, among other things, agreed, " That, in case the said high allies should be jointly engaged in war, by reason of this defensive alliance before mentioned in the fifth article, or on any other account, there shall be an offensive and defensive and perpetual alliance between them against those with whom the war shall be, and all their forces shall be employed by sea and land, and they shall act in conjunction, or separately, as it shall be agreed between them: that, since in the alliance with the Emperor, made in September last, particular care was taken of the recovery of the Spanish Low Countries out of the hands of the Most Christian King, the said confederates expressly

engage to aid one another with all their forces for the recovery of the same; and in regard the principal interest of the said confederates consists in the preservation of the liberties of Europe, the before-mentioned treaty with the Emperor shall be faithfully and sincerely executed, and both sides shall guarantee the same, and use their endeavours to confirm and render it more strong from time to time. That, in making peace, particular care shall be taken of the commerce and traffic of both nations; as also for their security, as well in regard to the Low Countries as the countries adjacent: that when the war is begun, the confederates shall act in concert, according to the seventh and eighth articles of the treaty of the 3rd of March, in the year of our Lord 1677-8, between England and Holland, which is hereby renewed and confirmed; and no peace nor truce, or suspension of arms, shall be negotiated or made, but according to the ninth and tenth articles of that treaty; by which it was agreed, 'That, when the two allies come once to an open war, it shall be lawful for neither of them afterwards to come to any cessation of arms with him who shall be declared and proclaimed an enemy, without it be done conjointly and with common consent.' That no negotiation of peace shall be set on foot by one of the allies without the concurrence of the other: that each ally shall continually, and from time to time, impart to the other everything that passes in the said negotiation; and shall stipulate with the common enemy for the same rights, immunities, exceptions, and prerogatives, for his ally, as he does for himself, if so be the said allies do not agree to the contrary." And whereas the French King, having got possession of a great part of the Spanish dominions, exercised an absolute authority over that monarchy, having seized Milan and the Spanish Low Countries by his armies, and made himself master of Cadiz, of the entrance into the Mediterranean, and of the ports of the Spanish West Indies, by his fleets, everywhere designing to invade the liberties of Europe, and to obstruct the freedom of navigation and commerce; and, instead

of giving the satisfaction that ought justly to be expected, had proceeded to further violences, and had taken on him to declare the pretended Prince of Wales, King of England, Scotland, and Ireland, and had also influenced Spain to concur in the same affront; her late Majesty Queen Anne, taking notice, "That she found herself obliged, for maintaining the public faith, for vindicating the honour of the crown, and to prevent the mischiefs which all Europe was threatened with, to declare war against France and Spain," did accordingly, in the month of May 1702, in the most public and solemn manner, declare war against France and Spain; and, in the said declaration, placing her entire confidence in the help of Almighty God, in so just and necessary an undertaking, declared, "That she would, in conjunction with her allies, vigorously prosecute the same, both by sea and land, being assured of the ready concurrence of her subjects in a cause they had so openly and heartily espoused;" and his Imperial Majesty and their High Mightinesses, pursuant to the treaties afore-mentioned, respectively in or about the said month of May 1702, did likewise declare war against France and Spain: And whereas the Kings of Portugal and Prussia, the Electors of Hanover, Saxony, Treves, Mentz, Palatine of the Rhine, the Duke of Savoy, the Prince of Hesse, the Dukes of Wolfembuttle, Mechlenburg, and Wirtemberg, the Circles of Suabia and Franconia, and of the Upper Rhine, the Bishops of Munster and Constance, and other princes and powers, being invited by the said grand alliance, and relying on the faith thereof, did afterwards become parties to the said confederate war against France and Spain: and in the treaty entered into in or about the month of May 1703, between his Imperial Majesty, the Queen of Great Britain, the States General, and the King of Portugal, it is, amongst other things, expressly stipulated, "That no peace nor truce shall be made but by the mutual consent of all the confederates; nor shall any, at any time, be made, whilst the second grandson of the Most Christian King, by the Dau-

phin, or any other prince of the line of France, continues in Spain; nor unless the Crown of Portugal shall fully possess and enjoy all the lands, kingdoms, isles, castles, cities, towns, &c. with their territories and dependancies, in Spain or elsewhere, which it now possesses:" and in the treaty of Norlingen, ratified by her late Majesty, it is, amongst other things, expressly agreed, "That it shall not be allowed to make particular treaties; but the peace shall be jointly treated of, and shall not be concluded, without obtaining, as far as is possible, the reunion of the lands belonging to the Circles, and until, at least, he security of the associated Circles be absolutely provided for in the best manner that is possible, and better than it has formerly been." And whereas, to give the greatest strength that was possible to the union so necessary to both nations, her late Majesty and the States, by a treaty, in the month of June 1701, renewed and confirmed all treaties and alliances then subsisting between them; and therein it is, amongst other things, expressly and particularly stipulated, "That, as the said most serene Queen and the Lords of the States General are now in war with France and Spain, and are reciprocally bound to assist each other, and mutually to defend, maintain, and preserve their countries and subjects, in their possessions, immunities, and liberties, as well of navigation and commerce as other rights whatsoever by sea and land, against, and in opposition to, all kings, princes, and states, and particularly against France and Spain, to the end a just and reasonable peace may the better be obtained, and may establish the repose and tranquillity of Europe; it is agreed, between the most serene Queen of Great Britain and the said Lords of the States General, that neither of the said allies shall make a suspension of arms, or a peace, with France or Spain, or any other king, prince, or state, who shall molest or attack either of the said allies, but in conjunction, and by common consent." And whereas the said war was, for several years, carried on with vigour and unanimity by her Majesty and her allies, at a vast expense both of blood

and treasure, for the support of which, on the part of England, many millions have been granted by parliament, who, on many occasions since, continued not only to express their sense of the justice and necessity of the war, but did frequently give their humble advice to the throne, "That no peace could be safe, honourable, or lasting, so long as the kingdom of Spain and the West Indies continued in the possession of any branch of the House of Bourbon:" and whereas it pleased Almighty God to grant to the confederate arms, under the command of their great and victorious general the Duke of Marlborough, such unparalleled successes as exceeded even their own hopes and the fears of the enemy; and by the many signal victories of Schellenberg, Hochstedt, Oudenarde, and Ramellies, as well as the conquests of the Electorates of Bavaria and Cologne, and the reduction of the Spanish Netherlands, and many other great advantages both by sea and land, and by the wisdom and unanimity of their counsels, the glory of the confederate arms, and the reputation of Great Britain in particular, was raised to a higher pitch than in any former age; and whereas her late Majesty, in conjunction with her allies, wisely foreseeing that, whenever the enemy should be brought to make overtures of peace, the surest way to put an end to the war, and prevent France from putting in practice her usual intrigues, was, by previously insisting on such conditions from France that nothing might remain to be done in a general assembly but to give them the form of a treaty; and for those reasons, a preliminary treaty was concluded on, and was afterwards signed by the plenipotentiaries of his Imperial Majesty, of her late Majesty the Queen of Great Britain, and of the Lords of the States General of the United Provinces, and afterwards ratified by their principals, wherein the interests of the several allies were adjusted, in order to a general treaty of peace with France; and therein the restitution of the Spanish Monarchy to the House of Austria, being one of the chief causes for carrying on the war, is laid down as an immutable founda-

tion among the allies. And whereas in the year of our Lord 1709, the King of France, having first signified his consent to the restitution of the Spanish Monarchy to the House of Austria, sent his ministers to the Hague, to treat with the ministers of the principal allies on a general peace; and in the conferences held thereupon, the interests of all the allies, as adjusted in the said preliminaries, were positively and expressly agreed to by the ministers of France, and particularly that of the restitution of the entire Spanish Monarchy to the House of Austria; and the said negotiations were afterwards broke on no other dispute but on the 37th article of the preliminary treaty, concerning the time and manner of evacuating Spain: and whereas the conferences being resumed at Gertruydenberg, in the year of our Lord 1710, the said 37th article became the only subject of the negotiation which was there set on foot, for the finding out some equivalent, by which the same security might be given to the allies as they had by the 37th article of the said preliminaries; and though it was unquestionable that before any negotiation was begun, that while the preliminaries were treating, that by those preliminaries themselves, that before the last negotiation was resumed, and all the while it lasted, the restitution of Spain and the Indies was laid down as a firm and immoveable foundation of the negotiation, and no question remained concerning it, with the ministers of the allies or those of France, but touching the security for its execution; and though all reasonable and prudent overtures were made by the allies for settling an equivalent; yet the conferences were broke off by France, without any conference therein. And whereas the sincere intentions of all the allies, to have settled the peace of Europe upon solid and equitable foundations, were notorious and incontestable, and the rupture of the said negotiations could only be imputed to the enemy, her sacred Majesty, in conjunction with her allies, renewed their resolutions to continue and push the war with vigour, and to make all possible efforts, as the only means left to force a good and

general peace; and her Majesty in her speech from the throne, on the fifteenth of November 1709, taking notice of the endeavours of the enemy, during the said negotiations, to amuse and create jealousies among the allies, declared her resentment thereat, and earnestly recommended "the carrying on the war, and a vigorous prosecution of the advantages obtained, that she might put the last hand to that great work, of reducing the exorbitant and oppressive power which had so long threatened the liberties of Europe." And it having pleased Almighty God, after the said preliminary treaty, to bless the confederate army, under the command of their consummate general the Duke of Marlborough, with new and signal conquests, the reduction of Tournay, the victory of Tasnieres, the taking of Mons and Douay, Bethune, St. Venant, and Aire, and the penetrating the lines near the Scarpe: and whereas, from the prosperous condition of the affairs of the allies, and the wisdom, firmness, and unanimity of their councils, nothing remained, in all human appearance, but that they should reap the fruits of all their victories, in a speedy, just, honourable, and lasting peace; and, on the other hand, nothing was left to raise the hopes of the enemy, whereby to defeat that happy prospect, but the success of their secret endeavours to disunite the confederacy. And whereas, Robert Earl of Oxford and Earl Mortimer, with other evil-minded persons, enemies to the true interests of their country, as well as to the common liberties and welfare of Europe, having by many wicked arts and base insinuations obtained access to her late Majesty Queen Anne; and in or about the months of July or August 1710, being admitted into her councils, and into places of the highest trust, and to make way for their wicked enterprizes, did by their evil counsel and advice prevail on her Majesty to dissolve a parliament which had given the most unquestionable proofs of their great wisdom, and of their true zeal for the common cause; for which, as well as for the many marks of duty and affection given to her, her Majesty returned her hearty thanks, and expressed her great satisfaction: and

whereas the said Robert Earl of Oxford and Earl Mortimer, and others his accomplices, had formed a treacherous correspondence with the emissaries of France, by means whereof certain propositions were transmitted from France to England, signed by Monsieur de Tourcy, Secretary of the King of France, in the month of April 1711, to be the basis of a treaty of a general peace; which propositions, though her Majesty was prevailed on by the false counsels of the said Robert Earl of Oxford and Earl Mortimer and others to receive as a sufficient foundation for a treaty of a general peace, and as such to communicate them to the grand pensionary and the ministers of Holland,—her Majesty, however, was graciously pleased at the same time to declare to them her pleasure, by her Secretary of State, "That, being resolved, in making peace as in making war, to act in perfect concert with the States, she would not lose a moment in transmitting a paper of that importance; and that though the propositions were general, and contained an air of complaisance to her Majesty, and the contrary towards the States, yet that could have no ill consequences, as long as her Majesty and the States understood one another, and acted with as little reserve as became two powers so nearly allied in interest; and that the pensionary should be assured, that that rule should be inviolably kept on her part." Which gracious declaration of her Majesty, as well as the said propositions, being maturely considered by the grand pensionary and the ministers of Holland, an answer was returned from them to her Majesty, full of duty and thankfulness for the obliging manner in which she was pleased to communicate the said propositions, and with the utmost assurances of mutual confidence, so necessary to prevent the designs of the enemy; but more particularly, that the States desired equally with Great Britain to have a general, definitive, and lasting peace, and declared, "That they were ready to join in all the most proper measures to procure it; that the propositions were yet too general, and that the States desire, as Great Britain did, that France would

explain herself more particularly upon the points therein contained, and impart a plan which she thinks the most proper to secure the interests of the allies and settle the repose of Europe; after which, a more particular negotiation might be entered into." Notwithstanding all which premises,

ARTICLE I.

He the said Robert Earl of Oxford and Earl Mortimer, having no regard to the honour or safety of her late Majesty or her kingdoms, or to the many solemn engagements she was then under to the old and faithful allies of this nation, or to the common liberties of Europe; but, being devoted to the interest and service of the French King, the common enemy, and being then Lord High Treasurer of Great Britain, and one of her Majesty's most honourable Privy Council, contrary to his oath, and in violation of his duty and trust, and in defiance of the tenor of the several treaties aforementioned, or some of them, as well as the frequent advices of parliament, and the many declarations of her Majesty from the throne; but more particularly in defiance of the solemn and mutual assurances which had been so lately renewed between her Majesty and the States, to act in perfect concert with them, in making peace as in making war,—did, on or about the months of July or August, in the year of our Lord 1711, maliciously and wickedly form a most treacherous and pernicious contrivance and confederacy with other evil-disposed persons, then also of her Majesty's Privy Council, to set on foot a private, separate, dishonourable, and destructive negotiation of peace between Great Britain and France, without any communication thereof to her Majesty's allies, according to their several treaties; and was not only wanting in his duty and trust to her Majesty by not opposing, and, as far as was in his power, by not advising her Majesty against going into any private, separate negotiation with France; but in execution of his purposes aforesaid, he the said Robert Earl of Oxford and Earl Mortimer did advise her late

Majesty to send Matthew Prior, Esq. directly to the Court of France, to make propositions of peace, without communicating the same to her Majesty's allies: and accordingly the said Matthew Prior, by the advice and with the privity of him the said Earl of Oxford and Earl Mortimer, and other false and evil counsellors, in or about the months of July or August, in the year of our Lord 1711, was sent, in a clandestine manner, from England to France, and did communicate the said propositions of peace to the ministers of France, in which the particular interests of Great Britain, as well as the common interests of Europe, were shamefully betrayed; and in manifestation of his said design to exclude her Majesty's allies from their just share in the said negotiations, an express article was inserted in the said propositions, by the privity and advice of him the said Robert Earl of Oxford and Earl Mortimer, "That the secret should be inviolably kept, till allowed to be divulged by the mutual consent of both parties;" although the French King had in the propositions signed by Monsieur de Torcy, and transmitted in the month of April preceding, offered to treat with the plenipotentiaries of England and Holland alone, or jointly with those of the allies, or at the choice of England. By which treacherous and dangerous advice, he the said Robert Earl of Oxford and Earl Mortimer did not only contrive and set on foot a negotiation of peace more advantageous to France than even France itself had asked; but thereby did put it into the power of the common enemy to create incurable jealousies and discords between her Majesty and her faithful allies, and to destroy that confidence which had so long and so successfully been cultivated between them, and which was so necessary for their common safety.

ARTICLE II.

That the French King, laying hold of the said treacherous overture, set on foot in manner aforesaid, did, in or about the months of August or September, in the year of our Lord 1711,

send over Monsieur Mesnager into England, to carry on a separate and clandestine negotiation of peace; which being made known to him the said Robert Earl of Oxford and Earl Mortimer, he did afterwards, in the said month of September 1711, secretly and unlawfully, without any colour of authority, meet, confer, and treat with the said Sieur Mesnager, on the negotiations of a peace between Great Britain and France; and therein he did advise and promote the making a private and separate treaty or agreement between the said crowns; which said treaty or agreement was afterwards, with the privity, consent, and advice of him the said Robert Earl of Oxford and Earl Mortimer, agreed, concluded on, and signed by the said Sieur Mesnager on the part of France, and by the Earl of Dartmouth and Henry Saint John, Esq., two of her Majesty's principal Secretaries of State, in behalf of her late Majesty, by virtue only of her Majesty's sign manual under the signet, and without the least knowledge or participation of the allies; in which treaty, the immediate interests even of Great Britain are given up to France, and the Duke of Anjou is admitted to be king of Spain; an express stipulation being therein made with the said Sieur Mesnager, in the name of, and (as is therein alleged) pursuant to powers from, King Philip, as king of Spain, whereby he the said Robert Earl of Oxford and Earl Mortimer did not only assume to himself regal power, in taking upon him to meet and treat with the enemy without any authority or powers from her Majesty, but did what in him lay to subvert the ancient and established constitution of the government of these kingdoms, by introducing illegal and dangerous methods of transacting the most important affairs of the state; and by which private and separate treaty, he the said Robert Earl of Oxford and Earl Mortimer did what in him lay to dissolve and cancel the many solemn treaties her Majesty then stood engaged in to her good and ancient allies; and whereby her Majesty, even before anything was finally settled for the safety or advantage of her kingdom, was brought to this fatal

dilemma: either to submit to the dictates of France in the progress of the said negotiation; or, so notorious a breach of national faith being divulged by the enemy, from thence to lose all future confidence of her good allies.

ARTICLE III.

That the said Robert Earl of Oxford and Earl Mortimer, the better to disguise and carry on the aforesaid private, separate, and dangerous negotiation, did, together with other evil-disposed persons then in high trust under her Majesty, contrive and advise the preparing and forming a set of general preliminaries, intituled, "Preliminary Articles on the part of France, to come to a general peace;" and that the same should be signed by the Sieur Mesnager only: and, the same being so prepared and signed by the said Sieur Mesnager, he the said Robert Earl of Oxford and Earl Mortimer did, contrary to his duty and trust, impiously advise her sacred Majesty, that the same should be, and accordingly they were, received by her Majesty, and communicated to the ministers of the allies then residing in England, as the ground of a general negotiation of peace, and as if the same were the only transactions that had been on this subject between Great Britain and France; and, to this end, the private treaty, signed as aforesaid by the Earl of Dartmouth and Master Saint John on the part of England, and by the said Sieur Mesnager on the part of France, was, by the evil advice and contrivance of him the said Robert Earl of Oxford and Earl Mortimer, and others, willfuly and industriously concealed, not only from all the allies, but even from her Majesty's council and her Parliament: and he did further advise her Majesty, not only to accept the said general preliminaries, but in her name, and by her authority, to communicate the same to the States General, as a sufficient foundation whereon to open the conferences of peace with France; and, the more effectually to cover from the States General the pernicious steps which his evil influence had engaged her Majesty

in with the common enemy, certain instructions were prepared, and by his counsel and advice were signed by her Majesty, and delivered to the Earl of Strafford, her Ambassador to the States General; wherein the said Earl of Strafford is directed to represent to the Pensionary of Holland, and to such others as shall be appointed to confer with him, "That when her Majesty had received, in May last, by his Excellency's despatches, an account of the sense which those among them who were at that time in the secret had of the overtures made by France for setting a general negotiation of peace again on foot, and of the answer which it was desired might be returned to the propositions signed by Monsieur de Torcy, her Majesty did immediately acquaint the enemy, "That their offers were thought by her and by the States General neither particular nor full enough, and therefore that her Majesty did insist that they should form a distinct project of such a peace as they were willing to conclude:" whereas no such instances had been made to the enemy on her Majesty's behalf; but, on the contrary, notwithstanding her Majesty had declared, "That the propositions of Monsieur de Torcy were thought by her and the States General neither particular nor full enough," yet, without any further explication from the enemy, her Majesty was prevailed on, in manner aforesaid, to send over propositions to France, as general and ensnaring, and in all respects as destructive to the interests of Great Britain and her allies, as the propositions of M. de Torcy; and the said general preliminaries, communicated to the States in manner aforesaid, were calculated only to amuse and deceive them into a general negotiation with France; and in the particulars abovesaid, as well as in several others, the said instructions contained matters either false or grossly prevaricating and evasive: by which most wicked counsels of him the said Robert Earl of Oxford and Earl Mortimer, that unquestionable truth and sacredness which, by the laws of nations, ought to accompany and constitute the instructions of public ambassadors to princes in

friendship and confederacy against the common enemy, was most vilely prostituted to the most dangerous purposes, to deceive and mislead her Majesty's good allies in matters of the greatest importance to their own interests; and the interests of these kingdoms, the honour of her Majesty's sacred person, and of the imperial crown of these realms, which had been raised to the highest pitch of glory abroad, and had been justly held in veneration with her good allies, was scandalously debased and betrayed; and the royal hand, by the wicked arts of him the said Robert Earl of Oxford and Earl Mortimer, was made the instrument to advance the interest of the common enemy.

ARTICLE IV.

That whereas the Earl of Strafford, pursuant to his said instructions, had communicated the preliminaries, signed by M. Mesnager only, to the States General, who, being justly alarmed at the pressing instances made on the part of her Majesty, that conferences should be opened on propositions as general and uncertain as to those so lately offered by France and signed by M. de Torcy, and their High Mightinesses having been unsuccessful in their remonstrances to the Earl of Strafford against opening the conferences upon the said propositions, did send over M. Buys, their ambassador, to represent to her Majesty, "As well the hazard of meeting the ministers of France before the essential articles were first settled by special preliminaries, or at least explained by France and made specific, as likewise the advantages to the enemy, who, being but one body, were influenced by one council and directed by one power; whereas the confederates consisted of several powers, whose interests are not only distinct, but in many cases contrary to each other, whereby the French would have a fair opportunity to divide the allies, when it would be impossible for them to break in upon France;" and further to represent, "That the propositions themselves were in some instances very prejudicial, and particularly in the articles of

commerce, Dunkirk, and the union of the crowns of France and Spain:" all which representations of the said M. Buys, by the evil influence of him the said Robert Earl of Oxford and Earl Mortimer, and others, were rendered ineffectual. But in order to prevail upon the States General to open the conferences upon the said general preliminaries, by the management and contrivance of him the said Robert Earl of Oxford and Earl Mortimer, and others, an occasion was taken to declare to M. Buys, at a committee of council, in her Majesty's name, "Her constant affection and good disposition to their state, and to the promoting their interest, and to treat with their High Mightinesses with a perfect confidence and harmony;" and at the same time, he the said Robert Earl of Oxford and Earl Mortimer did then falsely and maliciously declare, or was privy to advising and consenting that it should be and so it was declared, in her Majesty's name, "That she had made no separate treaty with France, nor would ever make any before she had fully complied with all engagements to her allies, and that each of them should have an opportunity to make good their pretensions."

By which false, scandalous, and dishonourable assurances, he the said Robert Earl of Oxford and Earl Mortimer did not only highly dishonour her Majesty, by whose privity the said separate treaty with France had been before that time concluded and signed; but their High Mightinesses, the good friends and ancient allies of her Majesty, were grossly abused, and thereby induced to enter into a negotiation with France, so dangerous in itself, and so fatal in its consequences.

ARTICLE V.

That her sacred Majesty Queen Anne having, in due form of law, and under her great seal, constituted the Right Reverend John Lord Bishop of Bristol, and the Earl of Strafford, her plenipotentiaries, with full powers to meet, treat, and conclude with the plenipotentiaries of the confederates, and those whom

the French King shall on his part depute for that purpose, the conditions of a good and general peace, that shall be safe, honourable, and, as far as is possible, agreeable to the reasonable demands of all parties, he the said Robert Earl of Oxford and Earl Mortimer, not contenting himself to abuse the royal authority, to the delusion of the States General, the nearest allies of the Queen, but intending the universal prejudice of his Imperial Majesty and all the allies of these kingdoms, and thereby the more successfully to carry on the measures of France, wherein he was then engaged, contrived and prepared instructions, or was privy to, consenting, and advising the same, for her Majesty's said plenipotentiaries, which she was prevailed upon, by the said Robert Earl of Oxford and Earl Mortimer's evil counsel, to sign; and the same were delivered to the said plenipotentiaries; wherein, among other things, they are instructed to the effect following: *videlicet*, "If it shall be thought proper to begin by the disposition of the Spanish monarchy, you are to insist that the security and reasonable satisfaction which the allies expect, and which his Most Christian Majesty has promised, cannot be obtained if Spain and the West Indies be allotted to any branch of the House of Bourbon:" whereas the said Robert Earl of Oxford and Earl Mortimer had, at that time, privately and treacherously negotiated and agreed with the ministers of France, that Spain and the West Indies should remain in a branch of the House of Bourbon, and had prevailed on her sacred Majesty to be party to the said private treaty, wherein the same is necessarily implied. And the said plenipotentiaries are further instructed, "In case the enemy should object, as the Imperial ministers have done, that the second article of the seven, signed by the Sieur Mesnager, implies that the Duke of Anjou shall continue on the throne of Spain, you are to insist that those articles, as far as they extend, are indeed binding to France, but that they lay neither us nor our allies under any positive obligation;" whereby the said Robert Earl of Oxford and Earl Mortimer basely entered into a confederacy and

collusion even with the ministers of the enemy, and prevailed on her Majesty to give her royal consent thereto, the more effectually to impose upon his Imperial Majesty and all the allies, and to conceal the said secret negotiations, and the separate treaty that had been agreed on between Great Britain and France. And the said Robert Earl of Oxford and Earl Mortimer, not only in the particulars before mentioned, but in many others contained in the said instructions, has brought a lasting reproach on the crown of these realms, and grossly violated the many treaties wherein her sacred Majesty was then engaged to her allies, to act in perfect concert with them throughout the negotiations of peace.

ARTICLE VI.

That, the conferences of peace being opened between the plenipotentiaries of the allies and those of the enemy, for the negotiating a general peace, upon the mutual and most solemn engagements amongst the allies, not only to act in perfect confidence with each other, but to promote their common interest, and to obtain from the enemy all just and reasonable satisfaction; and a specific explanation of the general preliminaries having been given in by the enemy at Utrecht, whereon the allies delivered their respective demands; by the artifices of France, and the secret encouragement and concurrence of the ministers of Great Britain, the progress of the said public negotiation was delayed and kept in suspense, under pretence of the enemy's refusing to give their answer in writing: during which time he, the said Robert Earl of Oxford and Earl Mortimer, again assuming to himself regal power, in derogation of the royal authority, to treat of peace with France, which was then delegated under the great seal of Great Britain to her Majesty's plenipotentiaries at Utrecht; and for the promoting the designs of the enemy, to the apparent destruction of the common cause of her Majesty and her allies, contrary to the known laws and

constitution of this kingdom, in direct violation of the several alliances her Majesty then stood engaged in, and in opposition to the many assurances given by her Majesty to act in concert with her allies, and in defiance of the express instructions given to her said plenipotentiaries, was not only wanting in his duty to her Majesty, as far as in him lay, to have put an end to and prevented any further private and unlawful negotiations with France; but did, with others his accomplices, advise, concur, continue, and promote a private, separate, and unjustifiable negotiation of peace with France, directly from England to France, without any communication thereof to the allies; and, in such private negotiations, did concert with the ministers of the enemy terms of peace highly prejudicial to the interest of her Majesty and her kingdoms, and of all her allies, and whereby the good effects of the said general negotiations were entirely defeated.

ARTICLE VII.

That her sacred Majesty Queen Anne having been prevailed on, by the false counsels of him the said Robert Earl of Oxford and Earl Mortimer, to accept of a treaty with France, on the supposition that the Spanish monarchy should continue in the possession of a branch of the House of Bourbon; and it being acknowledged, even by the French King, in the general preliminaries signed by Monsieur Mesnager, "That the excess of power, from the reunion of the crowns of France and Spain, would be contrary to the good and general repose of Europe;" he the said Robert Earl of Oxford and Earl Mortimer, having nothing so much in view as the aggrandising the common enemy, yet always intending to cover the iniquity of his heart under specious pretences and false appearances, did wickedly and treacherously advise and carry on a private and separate negotiation with France, on the subject of a renunciation of his right to the kingdom of France by the Duke of Anjou, and that such renunciation should be the security against the reunion of the two

kingdoms; and by the influence of his evil counsels her Majesty was prevailed on to accept, and finally to conclude and ratify, a treaty of peace with France, wherein the said renunciation is taken as a sufficient expedient to prevent the mischiefs that threatened all Europe, in case the crowns of France and Spain should be united upon the head of one and the same person; although he the said Robert Earl of Oxford and Earl Mortimer well knew that a memorial had been, during the said separate negotiation, transmitted by Monsieur de Torcy, Secretary of State and minister to the French King, to one of her Majesty's principal Secretaries of State, whereby it was declared, "That the said renunciation would be null and invalid by the fundamental laws of France; which laws were looked upon as the work of Him who had established all monarchies, and which He only could abolish, and that no renunciation therefore could destroy it; and, if the King of Spain should renounce, they would deceive themselves that should receive it as a sufficient expedient to prevent the mischiefs proposed to be avoided." By which false and treacherous counsels, he the said Robert Earl of Oxford and Earl Mortimer did not only betray the interest of the common cause into the hand of the most formidable enemy, but wilfully and maliciously abused the power and influence which he had obtained with her Majesty, so far as to engage her sacred Majesty, and the honour of the imperial crown of these kingdoms, to become party with France in so fatal a deceit.

ARTICLE VIII.

That her late Majesty Queen Anne having, on the 7th day of December in the year of our Lord 1711, earnestly recommended it from the throne, "That provision might be made for an early campaign, in order to carry on the war with vigour, and as the best way to render the treaty of peace effectual;" in order to which, vast supplies were granted, and magazines provided at a great expense, for an early campaign: and, in pursuance thereof,

her Majesty having sent her Generals Lumley and Cadogan to give early assurance to her allies of her sincere intentions; and likewise expressly instructed her General the Duke of Ormond not only to renew the same assurances, and declare her resolutions of pushing on the war with the utmost vigour, but to concert, with the generals of the allies, the proper measures for entering on action; and the confederate army, which at that time was the finest and strongest that had been in the service during the whole course of the war, and provided with all necessaries to act with vigour, having marched, according to the resolution taken in concert with her Majesty's general, almost up to the enemy, with a great superiority both as to the number and goodness of troops, and animated with a noble courage and zeal to acquit themselves bravely; so that, in all human appearance, and with the Divine assistance, which had appeared so visibly for them on many other occasions, they would have been able, either by battle or siege, to have gained great advantages over the enemy, to have bettered the affairs of the allies, and to have facilitated the negotiations of peace: and the ministers of France having frequently and earnestly represented to the said Robert Earl of Oxford and Earl Mortimer, and others his accomplices, during their secret negotiations, their just apprehensions from the bravery and good disposition of the confederate army, he the said Robert Earl of Oxford and Earl Mortimer, being truly informed of the sure prospect which, by the blessing of God, the army of the confederates then had of gaining new conquests over the army of France, and whereby they would have been enabled to have forced terms of peace, safe, honourable, and lasting; in order to disappoint those comfortable expectations of the allies, and to give success to his secret negotiations with the ministers of France, was privy to, consenting, and advising, together with other false and evil counsellors, and together with them did advise and consent, that an order should be sent, in her Majesty's name, to the Duke of Ormond, in Flanders, "To avoid engaging in any siege

or hazarding a battle till further orders;" although nothing had then been settled, in the said private negotiations, for the interest and security of Great Britain, and although Philip King of Spain at that time had not consented to the renunciation of his right to the crown of France; and, not contenting himself with having obtained that fatal step, so highly advantageous to the cause of France, but being wickedly determined to do all that in him lay to dissolve the whole confederacy, he the said Robert Earl of Oxford and Earl Mortimer, with others, was privy to, and did consent and advise, that orders should be sent to the Bishop of Bristol, one of her Majesty's plenipotentiaries then at Utrecht, to take the first solemn opportunity to declare to the Dutch ministers, "That her Majesty looked on herself, from their conduct, to be then under no obligation whatsoever to them;" which two declarations giving just alarm to all the allies, they represented to the Bishop of Bristol their general dissatisfaction, and the unexpressible consternation they were all in; "That these proceedings were the unavoidable ruin of Europe;" they urged religion, liberty, and the faith of treaties, to show the enormity of this usage; and the States expressed their uneasiness on no account so much, as that they could not come to the knowledge of their own lot. Which representations the Bishop of Bristol did, at the instance of the allies, signify to one of her Majesty's principal Secretaries of State. But their High Mightinesses, finding that all applications to the ministers of Great Britain, and in particular to the said Robert Earl of Oxford and Earl Mortimer, were of no avail against France, and for the interest of the common cause thought it necessary, in a manner the most moving and respectful, to address directly to her Majesty by a letter of the 5th of June 1712; therein expressing "their great surprise and affliction at the two declarations aforementioned: and finding it difficult to conceive how such declarations, so prejudicial to the common cause, given so suddenly, without their knowledge, and undoubtedly too without the knowledge of the other allies, could agree and consist with

the nature of an alliance, and with those assurances and engagements her Majesty had so lately made; and not knowing how to reconcile it with the great goodness and kindness which her Majesty had always honoured them with, and not being able to conceive how such a sudden change could happen with respect to them, having carefully examined their own conduct, and finding nothing therein that could have given ground to her Majesty's dissatisfaction;" and having represented the visible and immediate fatal consequences of the said two orders, not only to the common interests of her Majesty and the States, but to the whole confederacy and the Protestant religion,—they beseeched her Majesty, with all the respect and all the earnestness they were capable of, "That she would not persist in the declarations made by the Bishop of Bristol; and would be pleased to revoke the orders given to the Duke of Ormond, and would authorise him to act according to occurrences, and as the exigency of the war and the advancement of the common cause should require:" notwithstanding which, he the said Robert Earl of Oxford and Earl Mortimer, being acquainted with the said representations of the States, was not only wanting in his duty to her Majesty and to his oath, and the great trust reposed in him, in not advising, as he ought to have done, her sacred Majesty to have hearkened to the said several instances made to her; but, persisting in his desperate and destructive measures for the advancement of the interest of the common enemy, did afterwards advise her Majesty to disregard and reject the same; and did countenance, encourage, advise, and promote the said private, separate, and wicked negotiations with France, without any participation of the allies, contrary to all her Majesty's engagements, and to the apparent ruin of the common cause: By which several wicked and perfidious counsels, the progress of the victorious arms of the confederates were stopped, and an opportunity lost for conquering the enemy, the most favourable, in the opinion of all the general officers and the quarter-masters of the allies who were sent out to view the French camp; and

whereby all hopes of confidence between her Majesty and her allies was entirely destroyed, and the French King made absolute master of the negotiations of peace, and the affairs of Europe given into his hands.

ARTICLE IX.

That, to impose upon the allies the fatal necessity of submitting to the terms of France, and, in order thereto, to leave the whole confederate army at the mercy of the common enemy, he the said Robert Earl of Oxford and Earl Mortimer was privy and consenting to a secret and separate concert with the ministers of France, without the knowledge of the allies, for the separating the troops in her Majesty's pay from the rest of the confederate army; for the effecting whereof, instead of preventing so far as in him lay so fatal a step, he was not only wanting to advise against so unwarrantable a proceeding, but did consent to and advise her Majesty, that the Duke of Ormond, and all the troops then in her Majesty's pay, or such of them as would obey his orders, should separate themselves from the army of the confederates; and, having notice that the generals of the auxiliaries paid by her Majesty, whose honour and consciences would not permit them to abandon the confederates and leave them as a sacrifice to France, but, for the sake of the common interest of Europe, and according to the true end and design of their conventions, did refuse to withdraw with the Duke of Ormond without particular orders from their respective masters, he the said Robert Earl of Oxford and Earl Mortimer, being then Lord High Treasurer of Great Britain, and one of her Majesty's most Honourable Privy council, in violation of his oath, and the duty and trust reposed in him, did take upon himself an arbitrary and illegal power to refuse and put a stop to the pay and subsidies due on account of the said foreign troops, although they were entitled thereto by the conventions entered into with her sacred Majesty, and by express provision made by act of parliament for the payment of the same: by which

fatal separation, which, pursuant to his evil counsels, was afterwards made, great numbers of the confederate troops, who had before, on many occasions, signalized themselves in the defence of the cause of Europe, soon afterwards, at the unfortunate action of Denain, fell as sacrifices to the fury and revenge of France; the siege of Landrecy was raised; the important towns and fortresses of Quesnoy, Bouchain, and Douay were retaken by the French army; and not only the fortune of the war, but the fate of Europe, decided in favour of France.

ARTICLE X.

That, in further execution of his pernicious designs, to complete the destruction of the common cause of Europe, and to render it impracticable for her Majesty to resume the war against France in conjunction with her allies, or to recover the union with her Majesty's old and faithful allies, so necessary to the preservation of these kingdoms, he the said Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain, did carry on and concert with the ministers of France a private and separate negotiation, for a general suspension, by sea and land, between Great Britain and France; and, to that end, among others, did advise her Majesty to send over Henry Viscount Bolingbroke, one of her principal Secretaries of State, to the court of France, with powers to settle the said suspension: in pursuance of which, a destructive treaty of suspension was made in France, on the 19th of August (N. S.) 1712, by the said Henry Viscount Bolingbroke on the part of her said Majesty, for four months, without the knowledge or any participation of the allies, and before any terms of peace were settled with the enemy, either for Great Britain or the allies. By which evil counsels, the express terms of several of the aforementioned treaties were expressly contravened and broken, the good friends and ancient allies of her Majesty and these kingdoms were totally deprived of the just assistance to which they were thereby entitled, and were left exposed to the insults

of the common enemy; and the sacred ties of union and friendship between her Majesty and her allies being cut asunder, her Majesty's person and government, the safety of her kingdoms, and of the Protestant succession to the crown of these realms, were left exposed to the enterprizes of her most formidable enemy.

ARTICLE XI.

That whereas the States General of the United Provinces were, in or about the months of September or October in the year of our Lord 1712, in possession of the strong and important town and fortress of Tournay; and whereas the French King had, during the course of the said private, separate, and traitorous negotiation between him the said Robert Earl of Oxford and Earl Mortimer and others, and the ministers of France, signified his consent to the ministers of Great Britain, that the said town and fortress of Tournay should remain to the said States General, as part of their barrier; and whereas her Majesty, in her instructions of December 23, 1711, to her plenipotentiaries at Utrecht, had expressly directed them to insist with the plenipotentiaries of France, in the General Congress, "That, towards forming a sufficient barrier for the States General, Tournay should remain to their High Mightinesses;" and did afterwards declare herself conformably thereunto, in her speech to both Houses of Parliament on the 6th of June 1712, in which she communicated to them the terms whereon a peace might be made: and whereas, for several years before, and till the said months of September and October in the year of our Lord 1711, there was open war between her late Majesty and the French King; and the said war continuing for all the said time and afterwards, the said French King and his subjects were enemies to her Majesty; he the said Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain, and a subject of her Majesty, not considering the duty of his allegiance, but having altogether withdrawn the

cordial love and true and due obedience which every true and faithful subject owed to her said Majesty, and designing to give aid and succour and to adhere to the said French King, did, in or about the months of September or October 1712, during the said war, falsely, maliciously, wickedly, and traitorously aid, help, and assist, and adhere to the French King, then an enemy to her late Majesty; and, in execution and performance of his said aiding, assisting, and adhering, maliciously, falsely, and traitorously did counsel and advise the said enemy, in what manner, and by what methods, the said important town and fortress of Tournay, then in the possession of the States General, might be gained from them to the French King, contrary to the duty of his allegiance, and the laws and statutes of this realm.

ARTICLE XII.

That whereas her late Majesty Queen Anne, not only in pursuance of the treaties she stood engaged in to her good allies, and in particular to his Imperial Majesty, for the recovery of the monarchy of Spain to the House of Austria, thereby to preserve a due balance of power in Europe; but also from her just resentment against the Duke of Anjou, who then styled himself King of Spain, and who, in defiance of her Majesty's title to the crown, had acknowledged the Pretender as King of Great Britain; and on these just foundations, her Majesty had, in vindication of the honour of the crown, and in justice to her people, at a vast expense of blood and treasure, and on the earnest and repeated advices of her Parliament, prosecuted a vigorous war against the said Duke of Anjou: and whereas in the years of our Lord 1710, 1711, and 1712, the said open, bloody, and expensive war was carried on between her said late Majesty Queen Anne and the said Duke of Anjou; and during all the time aforesaid the said war did continue, and for all that time the said Duke of Anjou and the subjects of Spain adhering to him were enemies of her late Majesty; he the

said Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain and one of her Majesty's Privy Council, and a subject of her said Majesty, not considering the duty of his allegiance, but having withdrawn his due obedience from her said late Majesty, did, at several times, in the said years of our Lord 1710, 1711, and 1712, falsely, maliciously, wickedly, and traitorously aid, help, assist, and adhere to the said Duke of Anjou, then an enemy to her said late Majesty; and, in the execution and performance of his said aiding, helping, assisting, and adhering, and in confederacy and combination with the then enemies of her late Majesty, and with divers other wicked and evil-disposed persons, did, at several times in the years aforesaid, advise and counsel the enemies of her late Majesty; and in such counselling and advising, did concert with them, and did promote the yielding and giving up Spain and the West Indies, or some parts thereof, to the said Duke of Anjou, then in enmity with her Majesty, against the duty of his allegiance, and the laws and statutes of this realm.

ARTICLE XIII.

That whereas the riches, power, and strength of these kingdoms depend entirely on the flourishing condition of trade and navigation; and her late Majesty Queen Anne, having due regard thereto, as well as to the just expectations of her people after the vast expenses they had so cheerfully undergone in support of the war, did, on the first opening of the conferences for a general peace, declare from the throne, to both Houses of Parliament, on the 7th of December 1711, "That she would endeavour that, after a war which had cost so much blood and treasure, the nation might find their interest in trade and commerce improved and enlarged by a peace;" and on the 6th of June 1712, when she was pleased to communicate the terms on which a general peace might be made, did declare, "That nothing had moved her Majesty from steadily pursuing the true

interest of her own kingdoms; and that the terms of peace obtained for her own subjects were such as, she had reason to expect, would make her people some amends for the great and unequal burthen which they had lain under through the whole course of the war; and hoped that none of the confederates would envy her share in the glory and advantage of the peace:" and afterwards declared to both Houses of Parliament "her satisfaction in the near view she had of peace, since it would in some measure recompense her subjects for their vast expenses:" and, after the conclusion of the treaty of peace and commerce with France, did declare from the throne, on the 9th of April 1713, "That the many advantages she had obtained for her subjects had occasioned much opposition and long delays to the peace; but it afforded her great satisfaction, that her people will have it in their power, by degrees, to repair what they had suffered during so long and burdensome a war." Whereon both Houses of Parliament did, from time to time, express their grateful acknowledgments to her Majesty, for her great care and concern for the welfare of her people. And whereas, at the setting on foot, and in the progress of the said private, separate, and pernicious negotiation between the ministers of Great Britain and France, it was laid down as a principle, on the part of Great Britain, never to be departed from, "That France should consent to adjust the interests of Great Britain in the first place, that the ministers of Great Britain might thereby be enabled to engage the Queen to make the conclusion of the general peace easy to France;" and on this plausible pretence, it was insisted on by the ministers of Great Britain, to remit the discussions of the particular interests of the allies to general conferences; and throughout the whole course of the said separate negotiation, all imaginable concessions were not only made by the ministers of Great Britain for the real advantage of the interests of France against the allies, but all measures were entered into and concerted between them, that even the ministers of France

should dictate, in order to strengthen their hands, and to enable them to propose the terms of a general peace; he the said Robert Earl of Oxford and Earl Mortimer, having nothing in view, through the whole course of the said negotiation wherein he was wickedly and principally engaged in concert with France, but the final destruction of his country, and to that end the sacrificing the commerce of Great Britain to the aggrandizement of France, was not only wanting in his duty to her Majesty, in not insisting on in all events, and not procuring in the first place, the most certain and strict securities imaginable for the safety and advantage of the commerce of these kingdoms; but did advise her late Majesty, "That, in the proposition sent by his privity and advice by Mr. Prior to France, and also in the said private and separate treaty, signed on the said 27th of September 1711, wherein the preliminary demands for Great Britain more particularly were intended to be adjusted with France, the demands for Great Britain, in point of commerce, should not only be made in loose, general, and insufficient terms,—but that the liberty of fishing, and drying of fish, on Newfoundland should be expressly given up to France, though the restitution of that small part of the island which France had taken during the war was therein referred to be discussed to general conferences;" and having by his wicked artifices engaged her Majesty in the said private treaty with France, without any security for the commerce of Great Britain, he did artfully and cunningly contrive, with the ministers of France, to keep in suspense all matters that concerned the commerce of Great Britain, until, by means of his wicked and pernicious counsels aforementioned, France was become master of the negotiations, and the chief advantages for the commerce of Great Britain by that means remaining unsettled; and the ministers of France afterwards disputing the most essential articles which had been in agitation, and in particular that fundamental principle of treating and being treated as *gens amicissima*, and endeavouring to elude what had been

agreed on in the said private and separate negotiation for the supposed advantage of Great Britain, he the said Robert Earl of Oxford and Earl Mortimer, under pretence of removing a difficulty then depending by an expedient advantageous to Great Britain, did treacherously advise the 9th article of the treaty of commerce with France; a bill for the rendering whereof effectual was afterwards rejected by the House of Commons as highly prejudicial and destructive to the commerce of these kingdoms: but yet, for the sake of gaining that destructive article for Great Britain, as if the same had been advantageous, he the said Robert Earl of Oxford and Earl Mortimer, in defiance of the express provision of an act of parliament, as well as in contempt of the frequent and earnest representations of the merchants of Great Britain, and of the commissioners for trade and plantations, did advise her Majesty finally to agree with France, "That the subjects of France should have the liberty of fishing, and drying fish, on Newfoundland;" and did also advise her Majesty to make a cession to France of the isle of Cape Breton, with liberty to fortify the same, although the isle of Cape Breton was part of the ancient territories of the crown of Great Britain, and her Majesty had declared from the throne, "That France had consented to make an absolute cession of Nova Scotia, or Acadia, whereof Cape Breton is part, to her Majesty:" and the said Robert Earl of Oxford and Earl Mortimer intending in all events to secure to France the advantages relating to the fishery of Newfoundland and to Cape Breton, did, in conjunction with the ministers of France, advise her Majesty to consent that the same should be made an article in the treaty of peace between Great Britain and France; whereas the only advantages in trade pretended to be stipulated for Great Britain, being inserted in the treaty of commerce, were to depend on certain conditions to be made good by act of parliament; and pursuant to and by the influence of the said evil counsel of him the said Robert Earl of Oxford and Earl Mortimer, her sacred Majesty was advised to

ratify the said article in the said treaty of peace, and the said treaty of commerce: by means of which pernicious counsels, the good intentions of her sacred Majesty, to have obtained for her people advantageous terms of commerce, were entirely frustrated; the trade and manufactures of Great Britain, as far as in him lay, rendered precarious, and at the mercy of the enemy; and that beneficial branch of trade, always esteemed the great support of the naval power and the chief nursery of the seamen of Great Britain, yielded up to the subjects of France; and the only pretence for the avowed and notorious violation of treaties, and the carrying on the measures of France, viz. the adjusting first the interests of Great Britain, through the whole course of the said private and separate negotiation, terminated at last in the sacrifice of the commerce of Great Britain to France, without the least shadow of advantage in trade procured for these kingdoms.

ARTICLE XIV.

That he the said Robert Earl of Oxford and Earl Mortimer did, in concert with other evil and false counsellors, even without any application from his Royal Highness the Duke of Savoy, and after the French King had, in the course of the said private and separate negotiations, consented that the kingdom of Sicily should remain to the house of Austria, form a project and design to dispose of the kingdom of Sicily to the Duke of Savoy, from the House of Austria; and, to effect that his unjust, dishonourable, and pernicious project, he did advise her Majesty to give instructions, among other things, to Henry Viscount Bolingbroke, then appointed her ambassador to France, to demand, in her Majesty's name, of the French King, the kingdom of Sicily for his said Royal Highness: and a treaty of peace being afterwards made between the French King, his Royal Highness, and the Duke of Anjou, wherein a cession is made to his Royal Highness of the kingdom of Sicily, without any concurrence or participation of his Imperial Majesty; he the said Robert Earl of Oxford and Earl Mor-

timer did basely and scandalously advise her sacred Majesty to consent to the same by an article inserted in the treaty of peace between her Majesty and the French King; and afterwards, by his privity and advice, her Majesty was prevailed on to assist his Royal Highness against the Emperor, then in alliance with her Majesty, with a part of her royal fleet, at her own expense, in order to put him in possession of the said kingdom of Sicily, whereby the greatest injustice was done to his Imperial Majesty, in direct violation of the grand alliance, and contrary to her Majesty's frequent declarations from the throne, and her plain and full instructions to her plenipotentiaries at Utrecht, for obtaining his just and reasonable satisfaction; and whereby national faith, and the honour of the crown, was vilely betrayed, and the naval power of these kingdoms, and the supplies granted by Parliament for reducing the common enemy, were perfidiously employed against the great and faithful ally of this kingdom.

ARTICLE XV.

That whereas the dignity and support of the imperial crown of these realms has in all ages greatly depended on the wisdom and truth of the communications made from the throne, especially in Parliament, as the sure and only means whereby the Kings and Queens of this realm can receive the sincere and faithful advice of their people, in matters of the highest importance; and which, by the fundamental laws and constitution of this government, ought to be inviolably observed, as the sacred band of the duty and affection of subjects to their sovereign: and whereas, by the most ancient and known laws of this kingdom, it is indispensably incumbent on the great officers of state that surround the throne, to maintain, as far as in them lies, the sacredness of the royal word on all occasions, it being most apparent that the greatest dishonour to the throne, and the greatest danger to these kingdoms, must inevitably ensue, whenever that fountain of truth, by wicked counsels, shall be in any degree corrupted, and thereby lose its

just influence and necessary authority: and whereas the power of making peace and war, one of the ancient, undoubted, and most important prerogatives of the crown, has always been exercised by the sovereigns of these realms with the strictest regard to the honour of the crown and the welfare of the people, and for that end they have, in great wisdom, in all ages taken the advice of Parliament on such weighty occasions: and whereas her late Majesty Queen Anne declared from the throne her gracious intentions to communicate the terms of peace to her Parliament, for their deliberate and serious advice therein; wisely foreseeing, that the safety of her person and government, of the Protestant succession to the crown, which she had nearest her heart, and of the Protestant religion, and of the liberties of Europe, did inevitably depend on the happy conclusion of the said negotiations: he the said Robert Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain, having taken on himself, throughout the said negotiations, a most arbitrary and unwarrantable authority, and the chief direction and influence in her Majesty's councils, and most wickedly designing to prostitute the honour of the crown and the dignity of Parliament, and not only totally to deprive her Majesty of the wholesome and necessary advice of her Parliament in so great a conjuncture, but, by misrepresenting the most essential parts of the negotiations of peace, to obtain the sanction of Parliament to his traitorous proceedings, and thereby fatally to deceive her Majesty, her allies, her Parliament, and her people; he the said Robert Earl of Oxford and Earl Mortimer was not only wanting in the discharge of that duty to his sovereign which became his high station, by not advising against, and, as far as in him lay, in all events, by not preventing, even any intimation from the throne to the Parliament, which was not conformable to the exactest truth and impartiality; but, taking advantage of his ready access to her Majesty, and his exorbitant influence in her councils, did prepare, form, and concert, together with other false and evil

counsellors, several speeches and declarations, to be made by her Majesty from the throne to her Parliament, on the subject of the said negotiations of peace, and did advise her Majesty to make the same to her Parliament: and particularly, by means of his false and evil counsels, her Majesty did, among other things, on the 7th of December 1711, declare from the throne, in the words or to the effect following: "That notwithstanding the arts of those who delight in war, both place and time are appointed for opening the treaty of a general peace; our allies, especially the States General, whose interest I look upon as inseparable from my own, have by their ready concurrence expressed their confidence in me:" Whereas it was then notorious to all Europe, and the said Robert Earl of Oxford and Earl Mortimer, and others his accomplices, well knew, that the principal allies of her Majesty, and particularly the States General, then had in the strongest and most pressing manner represented, not only to her Majesty's ministers in Holland, but afterwards by a minister of their own, directly to her Majesty, the insecurity and danger to the common cause, by entering into general negotiations with France on the propositions signed by Monsieur Mesnager, and also their firm opinion of the fatal consequences that might ensue thereon; and although they had still great apprehensions concerning the method of opening the conferences, and the consequences that might happen thereupon, yet, being wrought on by the menaces and other extraordinary methods used with them by her Majesty's ministers, and relying on the solemn assurances and declarations of her Majesty to support the interest and concern of their state, and to act in perfect confidence and harmony with them, they did at last with the greatest reluctance consent to enter upon a general negotiation of peace with France. And in the same speech her Majesty was prevailed on, by the evil counsels of him the said Robert Earl of Oxford and Earl Mortimer and others, to declare in the words or to the effect following: "That the princes and states which have

been engaged with us in this war being by treaties entitled to have their several interests secured at a peace, I will not only do my utmost to procure every one of them all reasonable satisfaction, but I shall also unite with them in the strictest engagements for continuing the alliance, in order to render the general peace secure and lasting." And, in her message of the 17th of January following, her Majesty again expresses the care she intended to take of all her allies, and the strict union in which she proposed to join with them: whereas, by the evil influence of him the said Robert Earl of Oxford and Earl Mortimer, her Majesty was not only induced to enter into a private negotiation with France, exclusive of her allies, but the same was in like manner carried on by him the said Robert Earl of Oxford and Earl Mortimer and others; and the several interests which the allies were entitled to by their treaties were not only not secured to them by the peace, nor any reasonable satisfaction given to them, but the main interests of her principal allies, especially of his Imperial Majesty, were, by the wicked practices of him the said Robert Earl of Oxford and Earl Mortimer and others, given up to France; and no engagements were obtained for continuing the alliance, in order to render the general peace secure and lasting. And her Majesty having on many former occasions expressed her resolutions, never to make peace with France and Spain so long as Spain and the West Indies remained in the House of Bourbon, she was prevailed upon by the advice of him the said Robert Earl of Oxford and Earl Mortimer and others, to declare herself, in answer to an address of the House of Peers, the 11th of December 1711, to the effect following *videlicet*, "I should be sorry any one could think I would not do my utmost to recover Spain and the West Indies from the House of Bourbon:" whereas it is most manifest, that the leaving the kingdom of Spain and the Indies in the House of Bourbon was the foundation of the private and separate treaty between Great Britain and France, which had been before that time signed even with her Majesty's

consent; and the same fundamental resolution was immutably observed between them, to the conclusion of the peace. And her Majesty having frequently declared from the throne, "That her resolutions in entering into the said negotiations were, to obtain a general, good, and lasting peace, and the plenipotentiaries at Utrecht being instructed to treat with France conformably to that end;" he the said Robert Earl of Oxford and Earl Mortimer, in order to remove the just suspicions which had been conceived of his private and separate negotiations with France, did advise her Majesty to make this further declaration, in her said message of the 17th of January, "That the world will now see how groundless those reports are, which have been spread abroad by men of evil intentions to serve the worst designs, as if a separate peace had been treated*, for which there has not been the least colour given:" whereas a private and separate negotiation had been carried on, for five months together, between Great Britain and France; and, during that time, private propositions had been sent from England, and a private treaty with a minister of France signed even by her Majesty's privity, exclusive of all the allies, before the said declaration made by her Majesty; and private and separate measures were thenceforth carried on, by the said Robert Earl of Oxford and Earl Mortimer, and his accomplices, on behalf of her Majesty, with the ministers of France, even to the conclusion of the peace with France. Her Majesty was further prevailed on, by the wicked advice of him the said Robert Earl of Oxford and Earl Mortimer, in her speech of June the 6th, 1712, to declare, "That, to prevent the union of the two crowns, she would not be content with what was speculative, but insisted upon something solid;" and, in the same speech, to the effect following: *videlicet*, "The nature of the proposal for a renunciation is such, that it executes itself, and France and Spain are thereby more effectually divided than ever:" whereas the minsters of France had before that time assured the ministers of her Majesty, "That to

* Sic.

accept of the expedient proposed on her Majesty's behalf, would be to build on a sandy foundation; and that the renunciation would be null and void by the fundamental laws of France; and that they would deceive themselves, who accepted it as an expedient to prevent the union of the two crowns." And not only in the particulars before mentioned, but in many others, contained in the said several speeches and messages made and sent to her Parliament, even while the said negotiations of peace with France were depending, the most essential points relating to peace and commerce, and which concerned the interests as well of the allies as of Great Britain, were grossly misrepresented: by all which wicked, treacherous, and unexampled evil counsels, he the said Robert Earl of Oxford and Earl Mortimer did most basely, ungratefully, and scandalously abuse the favour of his royal mistress, and, by means of her authority, did mislead her Parliament into groundless and fatal resolutions; and thereby not only prevented the just advice of the Parliament to her Majesty in that critical juncture, but obtained the approbation of Parliament to his mysterious and dangerous practices; and did not only deprive her Majesty of the confidence and affection of her allies, but exposed her Majesty and her people to the contempt of the common enemy.

ARTICLE XVI.

That whereas the said Robert Earl of Oxford and Earl Mortimer, having on all occasions used his utmost endeavours to subvert the ancient established constitution of parliaments, the great and only security of the prerogative of the crown, and of the rights, liberties, and properties of the people, and being most wickedly determined, at one fatal blow, as far as in him lay, to destroy the freedom and independency of the House of Lords, the great armament and nearest support of the imperial crown of these realms; and falsely intending to disguise his mischievous purposes under a pretended zeal for the prerogative

of the crown, he the said Robert Earl of Oxford and Earl Mortimer, on or about the months of December or January 1711, whilst the House of Lords were under an adjournment, and had reason to expect that on their next meeting matters of the highest importance would be communicated to them from the throne, they having some few days before given their humble opinion and advice to her Majesty, "That no peace could be safe or honourable to Great Britain or Europe, if Spain and the West Indies were to be allotted to any branch of the House of Bourbon," being then Lord High Treasurer of Great Britain and one of her Majesty's Privy Council, and assuming to himself an arbitrary direction and control in her Majesty's councils, contrary to his duty and his oath, and in violation of the great trust reposed in him, and with an immediate purpose to render ineffectual the many earnest representations of her Majesty's allies against the said negotiations of peace, as well as to prevent the good effects of the said advice of the House of Lords, and in order to obtain such future resolutions of that House of Parliament on the important subject of the negotiations of peace as might shelter and promote his secret and unwarrantable proceedings, together with other false and evil counsellors, did advise her Majesty to make and create twelve peers of this realm and lords of parliament; and, pursuant to his destructive counsels, letters patents did forthwith pass, and writs issued, whereby twelve peers were made and created; and did likewise advise her Majesty immediately to call and summon them to parliament; which being done accordingly, they took their seats in the House of Lords on or about the 2nd of January 1711, to which day the House then stood adjourned: whereby the said Robert Earl of Oxford and Earl Mortimer did most highly abuse the influence he then had with her Majesty, and prevailed on her to exercise in the most unprecedented and dangerous manner that valuable and undoubted prerogative, which the wisdom of the laws and constitution of this kingdom hath entrusted with the crown for the rewarding signal virtue and distinguished

merit; by which desperate advice he did not only, as far as in him lay, deprive her Majesty of the continuance of those seasonable and wholesome counsels in that critical juncture, but wickedly perverted the true and only end of that great and useful prerogative, to the dishonour of the crown, and the irreparable mischief to the constitution of parliaments. All which crimes and misdemeanours were committed and done by him the said Earl against our late sovereign lady the Queen, her crown and dignity, the peace and interest of this kingdom, and in breach of the several trusts reposed in him the said Earl; and he the said Earl of Oxford and Earl Mortimer was Lord High Treasurer of Great Britain and one of her Majesty's Privy Council during the time that all and every the crimes before set forth were done and committed. For which matters and things, the knights, citizens, and burgesses of the House of Commons, in parliament assembled, do, in the name of themselves and of all the commons of Great Britain, impeach the said Robert Earl of Oxford and Earl Mortimer of high treason, and other high crimes and misdemeanours in the said articles contained.

And the said Commons, by protestation, saving to themselves the liberty of exhibiting at any time hereafter, any other accusations or impeachments against the said Earl, and also of replying to the answers which the said Robert Earl of Oxford and Earl Mortimer shall make to the premises, or any of them, or to any impeachment or accusation that shall be by them exhibited according to the course and proceedings of parliament; do pray, that the said Robert Earl of Oxford and Earl Mortimer be put to answer all and every the premises; and that such proceedings, examinations, trials, and judgments, may be upon them, and every of them, had and used, as shall be agreeable to law and justice: and they do further pray and demand, that the said Robert Earl of Oxford and Earl Mortimer may be sequestered from parliament, and forthwith committed to safe custody.

THE EARL OF OXFORD'S SPEECH IN HIS OWN DEFENCE.

My Lords: It is a very great misfortune for any man to fall under the displeasure of so great and powerful a body as the Commons of Great Britain: and this misfortune is the heavier upon me, because I had the honour to be placed at the head of the late ministry, and must now, it seems, be made accountable for all the measures that were then pursued. But, on the other hand, it is a very great comfort to me under this misfortune, that I have the honour to be a member of this august assembly: an assembly which always squares their proceedings and judgments by the rules of honour, justice, and equity; and is not to be biassed by a spirit of party.

My Lords: I could say a great deal to clear myself of the charge which is brought against me: but as I now labour under an indisposition of body, besides the fatigue of this long sitting, I shall contract what I have to say in a narrow compass. This whole accusation may, it seems, be reduced to the negotiation and conclusion of the peace. That the nation wanted a peace, nobody will deny; and, I hope, it will be as easily made out, that the conditions of this peace are as good as could be expected, considering the circumstances wherein it was made, and the backwardness and reluctancy which some of the allies showed to come into the Queen's measures. This is certain, that this peace, as bad as it is now represented, was approved by two successive parliaments. It is, indeed, suggested against this peace, that it was a separate one: but I hope, my Lords, it will be made appear, that it was general; and that it was France, and not Great Britain, that made the first steps towards a negotiation. And, my Lords, I will be bold to say, that during my whole administration, the sovereign upon the throne was loved at home, and feared abroad.

As to the business of Tournay, which is made a capital charge, I can safely aver, that I had no manner of share in it; and that the same was wholly transacted by that unfortunate

nobleman who thought fit to step aside: but I dare say in his behalf, that if this charge could be proved, it would not amount to treason. For my own part, as I always acted by the immediate directions and commands of the late Queen, and never offended against any known law, I am justified in my own conscience, and unconcerned for the life of an insignificant old man. But I cannot, without the highest ingratitude, be unconcerned for the best of Queens: a Queen who heaped upon me honours and preferments, though I never asked for them; and therefore I think myself under an obligation to vindicate her memory, and the measures she pursued, with my dying breath.

My Lords: If ministers of state, acting by the immediate commands of their sovereign, are afterwards to be made accountable for their proceedings, it may, one day or other, be the case of all the members of this august assembly: I do not doubt, therefore, that out of regard to yourselves, your Lordships will give me an equitable hearing; and I hope that, in the prosecution of this inquiry, it will appear, that I have merited not only the indulgence, but likewise the favour of the government.

My Lords: I am now to take my leave of your Lordships, and of this honourable House, perhaps for ever! I shall lay down my life with pleasure, in a cause favoured by my late dear royal mistress. And when I consider that I am to be judged by the justice, honour, and virtue of my peers, I shall acquiesce, and retire with great content: and, my Lords, God's will be done!

FURTHER ARTICLES OF IMPEACHMENT OF HIGH CRIMES AND MISDEMEANOURS AGAINST ROBERT EARL OF OXFORD AND EARL MORTIMER.

ARTICLE I.

That whereas, in or about the month of January in the year 1710-11, a dangerous and destructive expedition had been projected and set on foot, under the pretence of making a conquest on the possessions of the French King in North America; but

with a real design to promote his interests, by weakening the confederate army in Flanders, and dissipating the naval force of this kingdom, as well as for the sake of the private interest and corrupt gain of the promoters of the said expedition, he the said Robert Earl of Oxford and Earl Mortimer, being then one of her late Majesty's Privy Council and one of the Commissioners of her Majesty's Treasury, was not only wanting in his duty to her late Majesty, by wilfully and industriously absenting from the meetings of other persons then in high trust under her Majesty, wherein the said expedition was concerted; and by not advising her Majesty against, and doing what in him lay to have prevented the putting the same in execution; but did, contrary to his oath and the high trust then reposed in him, advise her Majesty to consent to the making an expedition for the conquering Canada, and the city of Quebec, on the river of St. Lawrence, in North America: and, in execution of his said evil counsels, he did further advise her Majesty to give orders for detaching several battalions of the forces then in the service of her Majesty in conjunction with her allies in Flanders, and to send the same, with a large squadron of men of war, on the said enterprise; although the said Robert Earl of Oxford and Earl Mortimer well knew, that the said project or expedition, having been frequently deliberated on, and maturely considered a short time before in a committee of council, was then laid aside as dangerous and impracticable: and a demand being made, at the treasury, on or about the months of May and June 1711, for the sum of 28,000*l.* or thereabouts, on pretence of arms and merchandizes said to be sent on the said expedition to Canada, he the said Robert Earl of Oxford and Earl Mortimer, being then Lord High Treasurer of Great Britain and one of her Majesty's Privy Council, though he well knew, or had reason to suspect, that the same was an unjust and exorbitant demand, and a great abuse on her Majesty and the public, and such as ought not to have been complied with, was not only wanting in his duty to her Majesty, in not giving his humble advice against

the said demand, or at least in not representing to her the ground of such his suspicion; but did, contrary to his oath and his duty, advise her Majesty that the said sum should be issued and paid, and did accordingly countersign a warrant to the Paymaster of her Majesty's Forces for the payment of the same, pursuant to which the same was issued and received: and, in further violation of his oath, his duty, and trust, and with the most corrupt design to prevent the justice due to her Majesty and the nation, he the said Robert Earl of Oxford and Earl Mortimer, being then Lord High Treasurer of Great Britain, and exercising a most unexampled arbitrary power, not only in her Majesty's private councils, but extending his evil influences to the great council of the nation, after the said expedition had proved unsuccessful, and it had been discovered to him the said Robert Earl of Oxford and Earl Mortimer that the nation had been cheated of above 20,000*l.* on that account, did most ungratefully and corruptly employ his wicked arts, and the credit which he had gained by his many false and crafty insinuations and practices, to keep the House of Commons from examining that affair; and, in or about the month of August 1714, in a letter or memorial, under his own hand, to her late Majesty, he did presume, not only to insinuate the ill opinion he therein pretended always to have had of the said expedition, but did declare the suspicions he had of the great injury and abuse done to her Majesty and the public in the demand of the said 28,000*l.* even at the time when the same was made, and that the public had been cheated of above 20,000*l.* on that account; and, in the said memorial, did presume further to declare to her Majesty, "That he was forced to use all his skill and credit to keep the House of Commons from examining that affair the last parliament;" thereby vainly, but most wickedly, recommending himself to the continuance of her Majesty's favour by the success of his most profligate measures. By all which unparalleled corruptions and most dangerous counsels and practices of him the said Robert Earl of Oxford and Earl Mortimer, the good and

faithful allies of her Majesty were deprived of the aid of her Majesty's troops, to which they were entitled by their conventions; and the confederate army in Flanders was greatly diminished, to the apparent advantage of the common enemy; the public money granted by Parliament for reducing the power of France, and which was expressly appropriated for other special services, was arbitrarily and illegally misapplied and embezzled, and a heavy debt incurred on the nation, not only sitting the parliament, but even in contempt and defiance of a representation made by the House of Commons to the throne, even while the said expedition was concerting; and whereby the highest injustice was done, in suppressing an inquiry so just to her Majesty and her people, and a lasting reproach and scandal brought on that House of Commons, of which he boasts as having been wrought on, by his corrupt influence, not to examine into so high and scandalous an abuse.

ARTICLE II.

That the said Robert Earl of Oxford and Earl Mortimer, not contented with the high employments and places of honour and profit bestowed on him by her late Majesty, nor with the large and excessive gains by him made by the incomes and profits of the said employments, on or about the month of October 1711, whilst the nation was engaged in a most expensive war against France and Spain for preserving the liberties of Europe, and greatly exhausted with the supplies and taxes for carrying on the same, and was under such heavy debts as were impossible to be satisfied without the utmost frugality, or laying grievous taxes on the Commons of Great Britain, contrary to his oath and his high trust, and making a most dishonourable and ungrateful use of the ready access he had to her late Majesty, did prevail on and advise her Majesty to sign a warrant to himself, being then Lord High Treasurer of Great Britain, for the issuing and payment of the sum of 13,000*l.* to John Drummond, Esq. or his assigns, for such special services, relating to

the war, as her Majesty had directed; and the said Robert Earl of Oxford and Earl Mortimer, on or about the 24th day of November following, in pursuance of the said warrant under her Majesty's sign manual, did sign a warrant for the payment of the said 13,000*l.* for such special services of the war as her Majesty had directed, although no special services had been, or were at any time afterwards, directed by her Majesty, to which the said monies were to be applied: and the said Earl of Oxford and Earl Mortimer having privately desired leave of the said Drummond to strike some tin tallies in his the said Drummond's name, he did, pursuant thereto, direct that orders, amounting to the sum of 13,000*l.*, should be charged in the register of the exchequer, on monies arising by sale of tin, in the name of the said John Drummond; and though the same were accordingly struck, in the name of the said Drummond, in or about the month of November 1711, they were not delivered out to the said Drummond, but were kept in the treasury chamber, or elsewhere in the power or custody of the said Earl, till about the end of January following; when the said Drummond having occasion, as the said Robert Earl of Oxford and Earl Mortimer well knew, to go into Holland, at the desire and request of the said Earl, he endorsed his name on the said orders; and the same were left by his privity, direction or consent, in the hands of Master John Taylor, a clerk of the treasury; and the said Robert Earl of Oxford and Earl Mortimer, having afterwards got possession of the said orders, did, in or about the month of June 1712, send an order in writing to the said Master Taylor, to deliver the said tallies to a servant of the said Earl, which was done accordingly, the same endorsements not being at that time filled up; and the said Robert Earl of Oxford and Earl Mortimer, having by these corrupt and scandalous methods got the said tallies and orders into his own hands, did afterwards fill up assignments of the said orders for 12,000*l.* part of the said 13,000*l.* to himself, and the remaining part to such other persons as he thought fit; and did afterwards, in or about

the months of August, October, and November 1713, at several times, dispose of the said orders and tallies to his own private use and advantage: and, to cover the said scandalous embez zlements, he the said Robert Earl of Oxford and Earl Mortimer did afterwards, as he pretends, advise and prevail on her Majesty, on or about the 14th of December 1713, to sign a warrant prepared by himself, wherein, after the recitals of his own good, faithful, and acceptable services, which had tended to the quiet, safety, and prosperity of her Majesty and her realms, though accompanied with great difficulties on himself and hazards to him and his family; and that her Majesty was resolved to bestow upon him a sum of ready money; but the said Earl representing to her Majesty, that the arrears then due to her servants and tradesmen were very great and pressing, her Majesty did therefore agree and determine that he should have to his own use the said several sums, amounting to 13,000*l.* comprised in the orders aforesaid; it was directed, that the said John Drummond should assign the same orders, and the whole right and benefit thereof, to the said Earl and his assigns; although the said Earl had privately and clandestinely procured from the said Drummond an assignment of the said orders near two years before the said warrant, and had fraudulently and corruptly disposed and converted them to his own use, without her Majesty's privity or consent, some time before her Majesty was prevailed on to sign the said warrant; and though the last-mentioned warrant, if any such there be, was not communicated to the said Drummond by the said Earl during her Majesty's life, nor was the same countersigned, nor entered in the treasury, yet he the said Robert Earl of Oxford and Earl Mortimer, even after his said corruption had been discovered in Parliament, did presume, without the privity of the said Drummond, to send the said warrant to the Commissioners of his Majesty's Treasury, desiring that the same might then have been entered in the treasury; but the same was, with great honour and justice, refused to be so entered: by which most vile and scandalous corruption, he the said Robert

Earl of Oxford and Earl Mortimer was guilty of the most notorious breach of his oath and trust as Lord High Treasurer of Great Britain, of the highest abuse of her Majesty's goodness and embezzlement of her treasure, and of the greatest injustice and oppression of other her Majesty's subjects.

ARTICLE III.

That whereas, by the established and known laws of this kingdom, the allowances or appointments for the maintenance and support of ambassadors, envoys, plenipotentiaries, and other public ministers of the crown in foreign courts, ought to be ascertained in due form of law, as well in honour as in justice to the imperial crown of these realms; and whereas the said Robert Earl of Oxford and Earl Mortimer, in or about the month of July or August 1712, sent Matthew Prior, Esq., an instrument and creature of his own, into France, for the carrying on his separate and dangerous negotiations, and did afterwards, in the month of November 1712, by his evil counsels, prevail on her late Majesty, without the privity of, or any communication with her allies, to send the said Matthew Prior as her Majesty's plenipotentiary to the French King, with instructions to treat and conclude matters of the highest importance relating to the general negotiations of peace; but the same was a treacherous and wicked contrivance of him the said Robert Earl of Oxford and Earl Mortimer, for the more effectual carrying on and promoting his private, separate, and dangerous practices, with the ministers of France, and the enemies of her Majesty and her kingdoms; he the said Robert Earl of Oxford and Earl Mortimer, not regarding his oath or his high trust, or the laws of the kingdom, did most corruptly and scandalously combine with the said Matthew Prior, for the defrauding her Majesty of very great sums, under the colour of his said employments in France; and, to that end, the said Earl did contrive that the said Prior should be sent into France, with the character aforesaid, but without any

settled appointments or allowances; but, in the stead and lieu thereof, he the said Robert Earl of Oxford and Earl Mortimer did give the said Matthew Prior an unlimited credit, and did promise to answer and pay such bills as the said Prior should draw on him during his residence in France; pursuant to which contrivance and corrupt agreement, he the said Matthew Prior did, between the 27th of August in the year 1712, (N. S) and the 10th of July 1714, or thereabouts, at several times, draw bills of exchange, to the amount of 12,360*l.* or thereabouts, on him the said Robert Earl of Oxford and Earl Mortimer, which he, being then Lord High Treasurer of Great Britain, did advise and prevail upon her Majesty to sign warrants for the payment of, and did countersign the same, although the said Prior was no way entitled to any such allowances by reason of his said employment, and the same greatly exceeded the allowance even of an ambassador of the crown of Great Britain. And the said Robert Earl of Oxford and Earl Mortimer did, in the years 1712, 1713, and 1714, without any colour of authority, but for the further promoting his corrupt and wicked purposes, prevail on and advise her Majesty to sign warrants, which were countersigned by himself, for the payment of the sum of 5,560*l.* or thereabouts, to the use of Thomas Harley, Esq. a near relation and emissary of him the said Earl of Oxford and Earl Mortimer, out of the monies appropriated to the use of her Majesty's civil list; and did, in like manner, at several times, in the years aforesaid, most illegally, fraudulently, and corruptly issue or direct, or advise the direction and payment of several other large sums of money, to other persons, out of her Majesty's treasury: by which most illegal and scandalous management, he the said Robert Earl of Oxford and Earl Mortimer has introduced a practice highly prejudicial to, and utterly inconsistent with, the constitution of this kingdom, and of the most pernicious consequence, by opening a way for the most dangerous corruptions; and was not only guilty of a notorious breach of his oath, but entered into the

most base and scandalous combination with the persons above-mentioned and others, under pretence and colour of promoting her Majesty's service, to defraud her Majesty of the public money, which he was entrusted with the management of for the support of the honour and dignity of the crown.

ARTICLE IV.

That whereas the revenues arising to the crown from the hereditary excise and post-office, or some parts thereof, were, by virtue of letters patents of the late king James the Second, charged with, and made liable to, certain annuities, or yearly sums, in trust for, or to the use of, Mary the consort of the said King James the Second; but the said revenues were afterwards, by several acts of parliament, granted and settled for the support of the royal household, and of the honour and dignity of the crown, or for other public uses, without any saving or exception of the said letters patents; and whereas, by an act made in the twelfth year of her late Majesty's reign, the sum of 500,000*l.* was granted to her late Majesty, for the discharge of divers arrears of salaries, diet-monies, and other allowances, and sundry debts for pre-emptions, provisions, and other causes, which had been incurred, and grown due to her late Majesty's servants, tradesmen, and others, and were occasioned by several extraordinary expenses, since the act for the better support of her Majesty's household, and of the honour and dignity of the crown; and the said sum of 500,000*l.* was expressly appropriated to the uses aforementioned, in aid of the said revenues or branches which were appointed for the support of her Majesty's household, and of the honour and dignity of the crown: and whereas, by an act made in the 13th and 14th years of his late Majesty King William the Third, it was enacted, "That for preventing traitorous correspondence between his Majesty's subjects and the pretended Prince of Wales or his adherents, that if any of the subjects of the crown of England, from and after the first day of March

1701, should, within this realm or without, hold, entertain, or keep, any intelligence or correspondence, in person, or by letters, messages, or otherwise, with the said pretended Prince of Wales, or with any person or persons employed by him, knowing such persons to be so employed; or should, by bill of exchange or otherwise, remit or pay any sum or sums of money for the use or service of the said pretended Prince of Wales, knowing such money to be for such use or service; such person so offending, being lawfully convicted, should be taken, deemed, and adjudged to be guilty of high treason, and shall suffer and forfeit as in cases of high treason;" he the said Robert Earl of Oxford and Earl Mortimer having, by the means of the said Matthew Prior, held a private and unlawful correspondence with the said consort of the late King James II., then residing in France, and being determined secretly to promote as far as in him lay the interests of the Pretender, but yet contriving to avoid the said penalty of high treason; and the said consort of his late Majesty King James II. having empowered Abbot Gaultier, a Popish priest and busy emissary between Great Britain and France during the said private and separate negotiations of peace, and who was particularly entrusted as the common agent between the ministers of Great Britain and France in transacting the most secret affairs relating to the Pretender, to concert with the said Robert Earl of Oxford and Earl Mortimer the settling the payment and remittance of a very great yearly sum out of her Majesty's treasure into France, under colour and pretence of the said letters patents; and the said Robert Earl of Oxford and Earl Mortimer having held frequent clandestine conferences with the said Abbot Gaultier, on the subject aforesaid; and having by his evil counsels sacrificed to France the common interests of Europe; and being resolved that the first fruits of the peace with France should be an offering, made by his immediate procurement, to the nearest and most avowed adherent of the Pretender, though at the great expense of the honour and safety of her

Majesty and her people,—did, soon after the conclusion of the peace with France, agree and undertake to procure the payment of the yearly sum of 47,000*l.* and upwards, to, or to the use of, the said consort, during her life; and, in execution of his said purpose, did afterwards, on or about the 23rd of December 1713, being then Lord High Treasurer of Great Britain and of her Majesty's Privy Council, advise her late Majesty to sign a warrant to himself, in the words or to the effect following: *videlicet*, "Anne R. Whereas our late royal father King James II., by letters patents under his great seal, bearing date on or about the 28th day of August 1685, did grant unto Lawrence Earl of Rochester, Henry Earl of Peterborow, Sidney Lord Godolphin, Robert Worden, Esq. and Sir Edward Herbert, Knight, (who are all since deceased,) divers annuities, or yearly sums, amounting to 37,328*l.* 13*s.* 7*d.*, to hold to them and their heirs, during the life of his then royal consort Mary, now Queen dowager, in trust for her; and, by other letters patents, bearing date on or about the third day of December 1686, did also grant unto the said Queen a further pension or yearly sum of 10,000*l.* to hold during her natural life; all which were made payable in such manner as in the said several letters patents is more fully expressed: our will and pleasure now is, and we do hereby direct, authorize, and command, that you cause payment to be made, to the heirs of such of the said trustees as was the longest liver of them, of so much as, since the 25th day of March last, 1713, is incurred or grown due on the said annuities or yearly sums, amounting to 37,328*l.* 13*s.* 7*d.*, and to the said Queen dowager or her assigns, of so much as, since the said 25th day of March last, is incurred or grown due on the said annuity of 10,000*l.* according to the purport of the several grants or letters patents above recited; as also of what shall hereafter become due and payable upon the said several annuities quarterly, during the life of the said Queen dowager: and for so doing this shall be your warrant. Given at our Court at Windsor Castle, the 23rd day of December

1713, in the 12th year of our reign." And did afterwards, on or about the 24th of December following, sign a warrant to the auditor of the receipt of her Majesty's exchequer, requiring him to make and pass debentures, for paying to such person or persons as is, are, or shall be authorized to receive the same, the sum of 9,332*l.* 3*s.* 4¾*d.*, for one quarter incurred upon the said several yearly sums therein mentioned, from Lady-day 1713 to Midsummer following; and appointed the same to be satisfied out of the sum of 500,000*l.* appropriated by an act passed the then last session of parliament, for or towards payment of such debts and arrears as were therein mentioned; and another warrant to the said auditor, to make and pass debentures for paying to the said Queen, or to her treasurer or receiver, the sum of 2,500*l.*, for one quarter, incurred on the said pension of 10,000*l.* per annum, from Lady-day 1713 to Midsummer then last past; and appointed the same to be satisfied out of the sum of 500,000*l.* appropriated by an act passed the then last session of parliament, for or towards payment of such debts and arrears as were therein mentioned: and the said Robert Earl of Oxford and Earl Mortimer, on or about the 20th of July 1714, being then Lord High Treasurer of Great Britain and of her Majesty's Privy Council, having corruptly and deceitfully, in further violation of his oath and his high trust, advised her late Majesty to sign a warrant directing the payment of 1,000*l.* sterling to Daniel Arthur, Esq. for monies expended by him for her Majesty's special service; and the same being accordingly issued, and received by him the said Arthur, out of her Majesty's treasure, he the said Robert Earl of Oxford and Earl Mortimer, being then also Lord High Treasurer of Great Britain, did give private direction to the said Arthur, to pay the said sum of 1,000*l.* to the said Abbot Gaultier, or to his use; pursuant to which direction, the said Arthur did pay, or cause to be paid, the said sum of 1,000*l.* to the said Abbot Gaultier, or to his use: whereby the said Robert Earl of Oxford and Earl Mortimer

did most wickedly betray the honour of her late Majesty and the imperial crown of these realms, in advising her, under colour of the said letters patents, and without the advice of her Council or her Parliament, to direct the issuing of the revenue provided by Parliament for the support of the honour and dignity of the crown, to the use and benefit of the open and avowed adherent of the Pretender; and did not only defraud her Majesty of the said sum of 1,000*l.*, but did most arbitrarily, illegally, and corruptly advise the embezzlement and misapplication of so much of the said sum of 500,000*l.* in contempt and defiance of the express appropriation of an act of parliament.

ARTICLE V.

That whereas, by the ancient and undoubted laws of this kingdom, no person, being a natural-born subject of this realm, or within any of the dominions thereunto belonging, and having committed and being under the guilt of high treason, ought to be received within this kingdom as a public minister, or with any character, from any foreign prince, state, or potentate; and whereas, some time in the year 1713, one Patrick Lilesh, styling himself as commonly known by the name of Sir Patrick Lawless, an Irish Papist, (who had served with the late King James the Second in the war in Ireland, against his late Majesty King William the Third of ever-glorious memory, had followed the said King James into France, and continued in the most open and avowed manner in his interest and service, and in rebellion against his said Majesty King William, and had bore high commissions, and had been in open arms against her late Majesty Queen Anne, in the late war in Spain,) did come into this kingdom, and pretended to have, and did take on himself, the character of a minister, sent from Philip King of Spain to her late Majesty, to treat of matters of the greatest importance to the honour and safety of her Majesty and her kingdoms; and having given notice of the same to Robert

Earl of Oxford and Earl Mortimer, then Lord High Treasurer of Great Britain and of her Majesty's Privy Council, and who then assumed to himself the supreme direction in her Majesty's councils; he the said Robert Earl of Oxford and Earl Mortimer was not only wanting in his duty to her Majesty, in not advising her Majesty against receiving and admitting the said Lilesh, alias Lawless, in the quality aforesaid; but did, together with other false and evil counsellors, advise her Majesty to receive and admit him as a minister from his said Catholic Majesty; and the said Earl did presume frequently to meet, confer, and negotiate the most important affairs of the nation with the said Lilesh, alias Lawless, in the quality aforesaid; and, the better to conceal his said illegal and dangerous measures from her said Majesty, he the said Robert Earl of Oxford and Earl Mortimer was privy to, consenting, and advising, that the said Lilesh, alias Lawless, should be introduced to her said Majesty, and should be received and treated by her ministers, under the false and disguised name of Don Carlo Moro; and the House of Lords, some time in the month of April 1714, having notice of the said dangerous attempt of the said Lilesh, alias Lawless, on or about the ninth of the said month made an humble address to her Majesty, "That she would be graciously pleased to issue her royal proclamation, commanding all proper officers and magistrates to make diligent search for, and to apprehend, all Popish priests, and to put the laws in execution against them; and likewise to inquire after and apprehend all such persons as have served in arms against her Majesty, or their late Majesties King William and Queen Mary, and who were then within this kingdom, contrary to law, to the end that they might be brought to justice;" to which her Majesty was graciously pleased to return an answer to the effect following: *videlicet*, "That she would give orders pursuant thereto;" and a proclamation did accordingly issue; and on the said ninth day of April, the House of Lords having under their consideration what further security could be provided for strengthening the Protestant succession in the House of Hanover, came to

the following resolution: *videlicet*, "That no person being natural-born subject of Great Britain, or within any of the dominions thereunto belonging, and who have traitorously served against her Majesty, ought to be received as a public minister, or with any character, within this kingdom;" notwithstanding which, he the said Robert Earl of Oxford and Earl Mortimer, having no regard to the safety of her Majesty's person, or to the security of the Protestant succession, and setting himself in utter defiance, not only of the said advice and resolution of the House of Lords, but of her Majesty's assurances to that House of Parliament, and of her royal authority and command by her proclamation under the great seal, instead of doing what in him lay to have apprehended and brought, or causing the said Lilesh, alias Lawless, to be brought to justice, did afterwards, on or about the 15th day of March 1714, most wickedly and treacherously advise her Majesty to sign a warrant directing the payment of 1,000*l.* sterling to Daniel Arthur, Esq. for special services; which being accordingly issued, and received by the said Arthur, he the said Earl did privately and corruptly direct the said Arthur to pay the same, and accordingly the said 1,000*l.* was paid to the use of the said Lilesh, alias Lawless; and the said Robert Earl of Oxford and Earl Mortimer did at other times, in a fictitious and scandalous manner, direct the payment of other considerable sums of money out of her Majesty's treasure, to the said Lilesh, alias Lawless, which were accordingly paid to him, although it was notorious that the said Lilesh, alias Lawless, had not only traitorously served in arms against her Majesty, but had been the minister or agent of the Pretender at the Court of Madrid, and was under strong suspicions of being sent into England, though under the pretences aforesaid, secretly to promote the interest of the Pretender in these kingdoms: by all which corrupt and evil counsels, he the said Robert Earl of Oxford and Earl Mortimer did most basely and ungratefully expose the person of her sacred Majesty, did what in him lay to enervate and render ineffectual the advice

of Parliament, and her Majesty's most solemn declarations, in a matter of the nearest concern to her Majesty and her kingdoms; and, by countenancing in the most corrupt and scandalous manner the secret emissaries of the Pretender, did greatly encourage his open adherents, to the apparent danger of the Protestant succession to the imperial crown of these realms.

ARTICLE VI.

That whereas her late Majesty Queen Anne, after several unsuccessful attempts, in conjunction with her allies, to establish his present Imperial Majesty on the throne of Spain, being informed that the people of Catalonia were inclined to cast off the yoke imposed upon them by the French, and return to the obedience of the House of Austria; and her Majesty being desirous to maintain and improve that good disposition in them, and to induce them to put the same speedily in execution,—did send Mitford Crow, Esq. to them, with necessary powers and instructions to carry on so great a work, for the advantage of her service and the good of the common cause, and, to that end, to treat with the Catalans, or any other people of Spain, about their coming into the interest of King Charles the Third, his present Imperial Majesty, and joining with her Majesty and her allies against the common enemy: and her Majesty, after her gracious assurances to assist them with men and money, was pleased to authorize her said minister to give them her utmost assurances, to procure the establishment of all such rights and immunities as they had formerly enjoyed under the House of Austria; and that, for their further satisfaction, she had sent for powers from King Charles the Third, for confirming the same, and was willing to become guarantee that it should be done; nevertheless, on this express condition, that they should receive the said King Charles as lawful King of Spain, and utterly renounce the House of Bourbon; and, together with the said instructions, her Majesty was pleased to sign, and cause to

be delivered to her said minister, credential letters, to the nobility, magistrates, and all other offiers, civil and military, of Catalonia, desiring them to depend on the promises he should make them in her name; and, in her Majesty's instructions to the Earl of Peterborough and Sir Cloudesley Shovell, in or about the month of May 1705, they are ordered to use their utmost endeavours to induce the Catalans to join with them in their undertaking; and to assure them of her Majesty's support, and to promise them in the Queen's name, that she would secure them a confirmation of their rights and privileges from the King of Spain, that they might be settled on a lasting foundation to them and their posterity; and in case persuasion should not prevail, and the Catalans should not make a suitable return to those kind offers, they were ordered to annoy their towns on the coast of Spain, and to reduce them by force: and in conformity to these instructions, a manifesto, or declaration, was prepared by the privity and advice of Robert Earl of Oxford and Earl Mortimer, then one of her Majesty's principal Secretaries of State, and delivered to the said Earl of Peterborough, full, on the one hand, of the assurances afore-mentioned—and, on the other hand, of menaces to them in case they declined her Majesty's overtures; which manifesto was afterwards published by him the said Earl of Peterborough in Catalonia: and whereas the nobility, clergy, and the whole principality of Catalonia, and the inhabitants of the isle of Majorca, relying on the faith of those royal assurances, did utterly abandon the House of Bourbon, and acknowledged King Charles the Third, his present Imperial Majesty, for their lawful sovereign, and did join their arms with those of her Majesty and her allies against the Duke of Anjou; and it having pleased Almighty God so far to bless her Majesty's pious and generous undertaking, as by most signal successes in a short time to deliver the principality of Catalonia from the heavy yoke of French bondage; and great supplies having been granted by Parliament for the reducing the whole kingdom of Spain to the obedience of the House of Austria, the

arms of her Majesty and her allies were attended with vast successes, having twice entered the capital city of that kingdom, and obtained many other signal conquests, to the great advantage of the common cause; and through the whole progress thereof, the bravery and firmness of the Catalans being always remarkable, thereby, as well as from the repeated assurances given to them from time to time, in her Majesty's name, by every general and minister sent from Great Britain to Spain, the hearts of that brave people were united under the strongest ties of affection and gratitude to her Majesty; and they were justly held in the strictest dependence on the continuance of her royal protection; he the said Robert Earl of Oxford and Earl Mortimer, being an enemy to the common liberty of Europe, and having traitorously entered into conspiracies for subjecting the whole Spanish monarchy to the House of Bourbon, and designing most maliciously the utter ruin and destruction of the ancient rights, liberties, and privileges of the Catalans, who had made so glorious a stand for the preservation of them, did, together with other false and evil counsellors, form a most dishonourable, wicked, and cruel contrivance, not only for abandoning the Catalans to the fury and revenge of the Duke of Anjou and his adherents, but for the final extirpation of all their rights, liberties, and privileges; and, in execution of that his intention, during the private, separate, and pernicious negotiation of peace which was carried on between him and the ministers of France, and before any negotiations of peace were set on foot in due form of law between the crowns of Great Britain and Spain, did advise her Majesty to give directions to the Lord Lexington, her ambassador to the court of Spain, to acknowledge the Duke of Anjou King of Spain; but was greatly wanting in his duty to her Majesty, in not advising her to give instructions to her said minister, at the same time peremptorily and absolutely to insist on the securing the Catalans' liberties, at the conclusion of the peace: and although the private, separate, and treacherous practices of him the said Robert Earl of

Oxford and Earl Mortimer and others, in combination with the ministers of France, did afterwards, on or about the 14th of March 1713, necessitate his present Imperial Majesty to conclude a treaty for the evacuating Catalonia, whereof her Majesty was guarantee, without any express and positive stipulations for the Catalans' liberties, his Imperial Majesty relying in that respect on her Majesty's declaration to interpose for them in the most effectual manner, and on the promises of the French King to join his endeavours for the same purpose; and although her sacred Majesty did, both before and after, frequently declare, by her ministers in Spain, "That she thought herself under the strongest ties of honour and conscience not to abandon a people whom the necessities of the war had obliged her to draw into her interest;" and though the French King did not join his endeavours for the purposes aforesaid; he the said Robert Earl of Oxford and Earl Mortimer, together with other false and wicked counsellors, having from time to time amused and deceived the distressed Catalans with groundless hopes of her Majesty's effectual interpositions in their favour, thereby engaging them in a more obstinate defence of their territories against the Duke of Anjou, was not only highly wanting in his duty to her Majesty, by not doing what in him lay, as a faithful minister, to have prevented the conclusion of the treaty of peace with Spain, till just and honourable conditions were secured for the Catalans; but did, falsely, maliciously, and traitorously advise her Majesty to conclude a peace with the King of Spain, without any security for the ancient and just rights, liberties, and privileges of that brave but unhappy nation; and did further advise her Majesty to send Sir James Wishart, her admiral, with a large squadron of men of war, at a great expense, to favour the said King of Spain in the siege of Barcelona, the capital city of Catalonia; and with express instructions, "That in case the inhabitants of Majorca should refuse the terms that should be offered them by the Duke of Anjou, to employ his squadron in countenancing and assisting all attempts that should

be made for reducing them to a due obedience:" by which most vile and detestable counsels, her sacred Majesty, contrary to her most pious intentions, the faith of nations, and the duties of religion and humanity itself, and contrary to her solemn and repeated assurances, was prevailed on to abandon a distressed people, drawn in and engaged by her own invitation into an open war with the Duke of Anjou, for the preservation of the liberties of Europe, and the commerce of Great Britain; and the persons, estates, dignities, rights, liberties, and privileges of the Catalans were given up as a sacrifice to the implacable resentment of their enraged and powerful enemy; and the honour of the British nation, always renowned for the love of liberty, and for giving protection to the assertors of it, was most basely prostituted; and a free and generous people, the faithful and useful allies of this kingdom, were betrayed in the most unparalleled manner into irrevocable slavery; and in consequence of which most dishonourable and perfidious counsels, the most execrable hostilities, burnings, and plunderings were committed upon them throughout their whole province, without sparing the effusion of innocent blood, and without the distinction of age or sex; and that unfortunate people were afterwards forced to undergo the utmost miseries of a siege, in their capital city of Barcelona; during which great numbers of them perished by famine and the sword, many of them have since been executed; and great numbers of the nobility of Catalonia, who, for their constancy and bravery in defence of their liberties, and for their services, in conjunction with her Majesty and her allies, had, in all honour, justice, and conscience, the highest claim to her Majesty's protection, are now dispersed in dungeons throughout the Spanish dominions, and not only the Catalan liberties extirpated, but, by those wicked counsels of him the said Robert Earl of Oxford and Earl Mortimer, Catalonia itself is almost become desolate: all which crimes and misdemeanours were committed and done by him the said Earl, against our late sovereign lady the Queen, her crown and dignity, the peace and

interest of this kingdom, and in breach of the several trusts reposed in him the said Earl; and he the said Robert Earl of Oxford and Earl Mortimer was either Commissioner of the Treasury, or Lord High Treasurer of Great Britain, and one of her Majesty's Privy Council, during the time that all and every the crimes before set forth were done and committed: for which matters and things the knights, citizens, and burgesses of the House of Commons in parliament assembled, do, in the name of themselves and of all the commons of Great Britain, further impeach the said Robert Earl of Oxford and Earl Mortimer of other high crimes and misdemeanours, in the said articles contained.

And the said Commons, by protestation, saving to themselves the liberty of exhibiting at any time hereafter, any other accusations or impeachments against the said Earl, and also of replying to the answers which the said Robert Earl of Oxford and Earl Mortimer shall make to the premises, or any of them, or to any impeachment or accusation that shall be by them exhibited, according to the course and proceedings of Parliament, do pray, that the said Robert Earl of Oxford and Earl Mortimer be put to answer all and every the premises; and that such proceedings, examinations, trials, and judgments may be upon them, and every of them, had and used, as shall be agreeable to law and justice.

THE ANSWER OF ROBERT EARL OF OXFORD AND EARL MORTIMER, TO THE ARTICLES EXHIBITED BY THE KNIGHTS, CITIZENS, AND BURGESSES, IN PARLIAMENT ASSEMBLED, IN THE NAME OF THEMSELVES AND OF ALL THE COMMONS OF GREAT BRITAIN, IN MAINTENANCE OF THEIR IMPEACHMENT AGAINST HIM FOR HIGH TREASON, AND OTHER HIGH CRIMES AND MISDEMEANOURS, SUPPOSED TO HAVE BEEN BY HIM COMMITTED.

The said Earl, saving to himself all advantages of exception to the said Articles, and of not being prejudiced by any

words or want of form in this his Answer; and also saving to himself all rights and privileges belonging to him as one of the peers of this realm; for answer to the said Articles saith, he admits, many solemn treaties and alliances have been formerly entered into between the crown of England and other princes and potentates of Europe, for their mutual security, and to prevent the immoderate growth of the power of France, which might prove dangerous to the neighbouring princes and states; and that therefore it was laid down as a fundamental principle and maxim of union amongst the allies, "That France and Spain should never come and be united under the same government; and that one and the same person should not be the king of both these kingdoms:" and he apprehends, that the principal view and aim of the allies was, to settle and maintain an equal balance of power in Europe; and, since the conjunction of Spain to the dominions of France might possibly ensue from the Duke of Anjou's being possessed of that crown, the dispossessing him was desired as the most likely means to prevent that conjunction; and, for the same reason, the union of Spain with the empire must have been equally fatal, and the prevention of it equally the design of the alliance; nor could the continuance of Spain in the House of Bourbon be in any respect prejudicial to the allies, if the union of that crown with France could be prevented. As new dangers of such union have been apprehended, new treaties and stipulations have been entered into among the allies, to obviate such dangers; and particularly the treaty for an intended partition seems to have been concluded upon that view. And though he acknowledges the wisdom of Parliament in condemning that treaty, as prejudicial and fatal in its consequences to England and the peace of Europe, yet he presumes it was not condemned because part of the dominions of the crown of Spain were thereby allotted to the House of Bourbon, but because such considerable parts of those dominions as the kingdoms of Naples and Sicily, the province of Guiposcoa, and other territories,

were allotted to that branch of the House of Bourbon to whom the crown of France was to descend, which might have been a great and dangerous addition to the then formidable strength of that crown; and because it was made against the repeated remonstrances of Charles the Second, then King of Spain, who declared by his ambassador, "That such partition treaty could have no other effect than to force Spain to throw itself into the arms of France, to prevent the dismembering of the Spanish monarchy;" and that it had this consequence, appeared upon the death of that prince, who seems to have been induced by that consideration to bequeath the entire monarchy of Spain to the Duke of Anjou, a younger branch of the House of Bourbon, who accordingly, upon the demise of the said King Charles the Second, took possession of the monarchy of Spain; but this accession of the Duke of Anjou to the crown of Spain did not produce the alliance in the article mentioned, between Leopold, then Emperor of Germany, his late Majesty King William the Third, of ever-glorious memory, and the States General, as immediately necessary at that juncture; for King William, as well as the States General, acknowledged the Duke of Anjou as King of Spain, thereby allowing that the Duke of Anjou's enjoyment of the monarchy of Spain, while he was but a younger branch of the House of Bourbon, was not inconsistent with the liberties of Europe, or the preservation of a due balance of power; and afterwards, when the French King had seized the Spanish Netherlands, King William, by advice of Parliament, came in to the assistance of the States as an auxiliary only, by sending upon their request 10,000 men, which England was obliged by treaties to furnish in case the States were attacked; after which, many conferences passed at the Hague betwixt the ministers of England and the States, and those of France, in order to find out some expedient by which, upon a reasonable division of the dominions of Spain, a new war might be prevented: and the States, in the course of those conferences, often asserted, "That though they had acknowledged Philip King of Spain, yet such

an acknowledgment was not contrary to the demand of a reasonable satisfaction to be given to the Emperor for his pretensions to the Spanish succession;" which was in effect to declare, "That the satisfaction demanded for the Emperor was such as would leave King Philip in possession of Spain." But these conferences broke off, about August 1701, without effect; and in September following, King William entered into the grand alliance with the Emperor and the States General; whereby it was agreed, "That, in the first place, endeavours should be used by amicable means to obtain the satisfaction desired for the Emperor," who probably at that time would have accepted a very easy composition for his pretensions. But, when the French King acknowledged the Pretender as King of England (which not long after happened), his Majesty King William and the Parliament of England, justly provoked by this affront, resolved to enter into the war, which had been begun by the Emperor alone in Italy the year before; and the late Queen mentions this indignity as the chief motive of her engaging in it, as appears by her declaration of war against France and Spain, in May 1702. The said Earl admits the several treaties set forth in the preamble to the said articles, and that such advice was given by Parliament, and such speeches were made from the throne, as in the said preamble are mentioned; but, for more certainty, begs leave to refer himself to the very treaties, addresses of Parliament, and speeches, when they shall be produced; and he humbly hopes your Lordships will allow him to observe, that those treaties manifestly show that the design of the allies, in endeavouring the recovery of Spain from the House of Bourbon, was to prevent the union of those two potent kingdoms in one and the same person. In the grand alliance in 1701, the avowed ends are, "The procuring an equitable and reasonable satisfaction to his Imperial Majesty, for his pretensions to the Spanish succession; the security of the dominions of the King of Great Britain and States General, with the navigation and commerce of their subjects; the preventing the union of France and Spain under the same govern-

ment;" and the territories and provinces pointed out in the fifth article were the farthest views of that alliance: whereby it was thought his Imperial Majesty would receive the utmost satisfaction which he could reasonably demand for his pretension to the Spanish succession. No mention is made of the recovery of the whole monarchy of Spain to the House of Austria, either in the grand alliance, or in the defensive one, made the same year, between his Majesty King William and the States General; and when, in the treaty between the Emperor, the Queen of Great Britain, and the States General on the one part, and the King of Portugal on the other, about May 1703, it was concerted to place Archduke Charles, the present Emperor, upon the throne of Spain, he was then but a younger branch of the House of Austria; and there is great reason to believe that the Queen, as well as other princes of Europe, and in particular the King of Portugal, did not think a treaty to procure the crown of Spain for the Archduke, when a younger branch of the House of Austria, did lay any obligation of procuring that monarchy for him when he became first of that House, and was elected Emperor; since the imperial and hereditary dominions, joined to the whole Spanish monarchy, would have given such excess of power to one prince, as would have been formidable to Europe, and a means to destroy that balance of power which her Majesty in all her treaties had constantly laboured to preserve: and it is a known and an allowed rule by the law of nations, in references to leagues between princes, that if there happens a material change in what was the principal ground and cause of the treaty, the obligation thereof ceases. If, therefore, in the preliminary articles in 1709, and afterwards in the conferences at Gertruydenberg, a cession of the Spanish monarchy to King Charles the Third, who was then younger brother to the Emperor, was thought reasonable to be insisted on; yet the said Earl humbly submits to your Lordships' great judgment, whether there was equal reason for insisting on such cession, when King Charles the Third was become head of that House, and had possession

of that empire and all the hereditary countries of Austria, as a condition without which no peace should be made. The States General were so far from admitting, or yielding, that the monarchy of Spain should in all events be given to the House of Austria, that he the said Earl hath heard they refused to admit it to be inserted as a condition of the barrier treaty when proposed by her Majesty's Ambassador at the Hague, and chose rather to put a stop to the proceedings of that treaty, and hazard the advantages they thereby expected, than comply with that proposal. The advice of Parliament is of great weight, to which her late Majesty always gave, and he the said Earl always paid, a just regard: and he doubts not but the House of Peers had proper inducements, when they gave their advice to the throne, "That no peace could be safe, honourable, or lasting, so long as the kingdom of Spain and the West Indies continued in the possession of any branch of the House of Bourbon:" but if he may be permitted to offer his humble conjectures of the motives of that advice, he conceiveth it might proceed from an apprehension of a future union of those two crowns, as likely to ensue, in case Spain should continue in the possession of any who might become heir to the crown of France; and that even the conjunction of the empire and Spain would be less dangerous than such an union: but when her Majesty communicated to her Parliament, the sixth of June 1712, the terms upon which a peace might be made, and thereby informed them, "That France had been brought to offer, that the Duke of Anjou should, for himself and his descendants, renounce for ever all claim to the crown of France; and that, at the same time the succession of the crown of France was to be declared, after the death of the then Dauphin and his sons, to be in the Duke of Berry and his sons, in the Duke of Orleans and his sons, and so on to the rest of the House of Bourbon; and that the succession to Spain and the West Indies, after the Duke of Anjou and his children, was to descend to such prince as should be agreed upon at the treaty of peace, for ever excluding the rest of the House of Bourbon;"

both Houses of Parliament, by their respective addresses to her Majesty in the same month, expressed their entire satisfaction: and, as the House of Commons desired her Majesty "To proceed in the negotiations then depending, for obtaining a speedy peace," so the House of Lords assured her Majesty, that they entirely relied on her Majesty's wisdom to finish that great and good work: and, after her Majesty had concluded a peace on those terms, both Houses of Parliament severally congratulated her Majesty on the conclusion of the peace; and also joined in an address of the 22nd of April 1714, expressing their just sense of her Majesty's goodness to her people, in delivering them, by a safe, honourable, and advantageous peace with France and Spain, from the heavy burthen of a consuming land war, unequally carried on and become at last impracticable. He the said Earl acknowledges, that her Majesty was pleased, about August 1710, to re-admit him, among others, to a place in her council, and require his services in offices of trust; to which he submitted, purely in obedience to her Majesty's commands, with great reluctance, from the prospect of the difficulties with which he was likely to struggle: but, as he never asked any employment, nor used any wicked arts or base insinuations to obtain the same from her Majesty, so, in all employments with which her Majesty was pleased to honour him, he sincerely endeavoured to discharge his duty with the utmost integrity, having always with the truest zeal desired and endeavoured, as far as he could, to promote the honour and service of her Majesty, whose aim he knew to be the welfare of her kingdoms in the first place, and (as far as she judged it consistent with that) the common good of her allies. In or about the month of September 1710, her Majesty (whose undoubted prerogative it was) thought fit to dissolve the Parliament then in being, and call a new one. In the year 1711, propositions were made by France to her Majesty, for peace, without the contrivance or previous knowledge of the said Earl: her Majesty, out of her affection for her people, having it much at her heart to establish peace in

her own days, expressed her concern for the disappointment of former negotiations, and her earnest desire to put a speedy end to the war and to the effusion of Christian blood, and to ease her subjects from the heavy burthen of their taxes. The said Earl doth acknowledge, that he thought a peace was very much for the interest and advantage of Great Britain; and, in his humble opinion, the most favourable juncture for obtaining advantageous terms of peace was immediately after the signal victories gained by her Majesty's arms in the year 1706: for, after the reduction of the dominions of the Electors of Bavaria and Cologne, with other important conquests in Germany; after the entire destruction of three great armies of France, in Flanders, Spain, and Piedmont; after the allies had recovered the Spanish Netherlands, Milan, and other territories in Italy; it might have been hoped, from the great distress in which the enemy then was, a just and reasonable peace could have been obtained, since so much was at that time gained from the enemy, and so much more, in all probability, would have been yielded by them, as would have fully answered the ends of the grand alliance. Peace was at that time sought by the enemy: and the said Earl, who had the honour to be then one of the principal Secretaries of State, owns he then advised the accepting of it; and he humbly begs leave to observe, that the war had been continued upon so unequal a foot, that the burden of it annually increased, and, at the time when those proposals were made by France, was become almost insupportable. It had, indeed, been stipulated by the grand alliance, "That the allies should assist one another with all their forces, according to a specification to be agreed on, in a particular convention for that purpose;" but it doth not appear any such convention was made, otherwise than as the House of Commons were informed by one of the principal Secretaries of State to his late Majesty King William, "That, by the proportions adjusted with the States, England was to furnish two parts of five by land, and the States the other three; and England was to furnish five parts of eight by sea, and the States the other

three:" but the States not always allowing themselves to be under an obligation to furnish such proportions, gave occasion to England's bearing an unequal part in the war, with respect to the allies. The States had that prudent regard to the frugal ordering of their affairs, that they frequently insisted they ought not to be pressed beyond their ability, and made themselves the sole judges of what came within the compass of it; and by that means avoided the supplying any quota or proportion which they thought improper for them to furnish. In the mean time the charge of the war was greatly increased upon the subjects of Great Britain. In the year 1702, it was under 4,000,000*l.*; from thence it gradually increased till the year 1706, the charge of which year amounted to above 5,500,000*l.*; and still advancing till the year 1711, it was then grown to near 7,000,000*l.*; and at the same time there was a debt contracted, not provided for by Parliament, amounting to 7 or 8,000,000*l.*, the very interest of which, and other debts wherein the nation was involved, amounted to 3,000,000*l.* per annum; and the revenue of Great Britain was under such anticipations, that it was found difficult to raise above 2,500,000*l.* for the growing service, to be paid within the compass of the year; so that, when the duties and difficulties upon trade and the continuance of the taxes upon land (which had lain so heavy above twenty years) are considered, the said Earl believes it could not be thought for the public interest to prolong the war, without an absolute necessity. During this time, the States had managed with so good economy, that the said Earl hath not heard of any additional duty laid by them upon trade, from the year 1702 to the year 1711; and what acquisitions were made upon the Continent, during the continuance of the war, though at the expense of British blood and treasure, accrued to the share of the allies; and the Dutch being under no prohibition of commerce with France, had a further advantage of the British merchants in respect to a free trade. Although the Princes of the Empire were engaged by previous treaties to furnish their quotas to the common cause,

yet, when they were often pressed to do it, they alleged in excuse, "That those troops (which they were obliged to furnish at their own expense) were in the pay of the crown of Great Britain:" the Emperor left it to her Majesty to provide for these troops, which by the Portugal treaty in the year 1703 he was to furnish; the King of Portugal not only neglected the proportion of 12,000 foot and 3,000 horse, which by the said treaty he was to provide at his own expense, but even refused to permit the 11,000 foot and 2,000 horse (for which he had subsidy from her Majesty) to be paid by musters, according to an article in that treaty; and, when pressed to furnish his full number of troops, alleged his inability for want of that part of the subsidies which the States ought to have paid him; so that almost the whole charge of the war in Spain was left upon her Majesty, the States having sent few or no troops thither after the battle of Almanza, and all the other allies being likewise defective in their proportions. This was the condition of affairs with respect to the charge of the war; nor did there appear, from the then situation of affairs, any more promising prospect with regard to the event; for although it had pleased God to bless her Majesty's arms with wonderful success, at which the said Earl most sincerely rejoiced, yet it did not appear that, after the year 1706, our successes in other parts had countervailed our losses in Spain; for, after two great battles, wherein we had been there defeated, after our forces had been twice obliged to retire from Madrid, and after the taking the British troops at Brihuega, the recovery of Spain (which was the main article that retarded the conclusion of the peace at Gertruydenberg) seemed almost desperate; especially since the French, in the year 1711, by their plentiful vintages and harvests, had well nigh recovered the effects of the famine, and since some of the allies, at the same time, made pressing instances for recalling part of their troops, as they had done frequently during the course of the war; from whence it appears how just the grounds were upon which both Houses of Parliament represented to her Majesty, "That the war

had been unequally carried on, and was at last become impracticable." And the said Earl humbly hopes, he shall not be thought to have designed any disservice to his country, if, in such a condition of affairs, he did not dissuade her Majesty from hearkening to the overtures of peace made to her from France; or if during the negotiations he endeavoured, by corresponding with her Majesty's knowledge and approbation, in any courts concerned therein, to rectify any mistakes, or contribute in any measure towards the conclusion of a general peace: but the said Earl believes that, in all the negotiations towards such peace, the allies had such knowledge and communication of all measures therein taken by her Majesty, as the treaties her Majesty was engaged in required; that the propositions transmitted from France, about April 1711, were immediately communicated to the Pensionary and ministers of Holland; that her Majesty did at the same time assure them of her resolution to act in concert with them, in making peace as in making war; that when the States had expressed their desires to be equal with those of Great Britain for a general and lasting peace, and had declared, "That they were ready to join in proper measures to procure it, and desired France might explain itself more particularly upon the points contained in those propositions;" her Majesty endeavoured to obtain such explanations, and afterwards communicated them to the States; and, if her Majesty thought it not expedient to proceed in the method of a preliminary treaty, which had proved so ineffectual in the years 1709 and 1710, but thought it might be sufficient upon articles signed by a minister of France, by his sovereign's command, to open conferences for a peace, the said Earl humbly hopes that this proceeding will appear to be so far from being an unreasonable deviation from the methods of former transactions in that kind, that it will be justified by many precedents of such treaties. The said Earl can affirm, that during the whole negotiation, so far as he was concerned, he acted with a sincere intention to obtain a general peace for the welfare and honour of her Majesty and her kingdoms, and

such as might give reasonable satisfaction to her allies, and answer all the obligations her Majesty was under by any treaties with any of the confederates; and is not conscious to himself that he hath in any respect transgressed that duty, which, as a privy counsellor or officer of state, he did owe to her Majesty or to the public. He is not insensible that many of the articles wherewith he stands charged are complicated, with such circumstances, aggravations, and inferences, as may render it difficult for him to acknowledge some facts alleged, without acknowledging, or seeming at least to acknowledge, those circumstances or inferences: and as he is not conscious to himself of being guilty of any crime he stands charged with, so he takes it to be agreeable to the common course of proceedings of this nature, and to your Lordships' justice, that he should not admit any circumstances which may tend to the accusation of himself. He therefore begs leave, that he may be allowed to distinguish between the acts themselves and the inferences drawn from them; and that, wherever he acknowledges any fact, he may not be understood to acknowledge those consequences which are in the articles deduced from it, unless it shall appear that the consequence was the aim and design of the said Earl, or is the necessary result of any act he hath done.

In answer to the first Article, the said Earl saith, that he always had the greatest regard to the honour and safety of her late Majesty and her kingdoms, to all the engagements she was under to the allies of this nation, and to the common liberties of Europe; that he never was devoted to the interest or service of the French King; that he is not conscious to himself of having acted, whilst he had the honour to be her late Majesty's High Treasurer, or one of her most honourable Privy Council, contrary to his oath, or in violation of his duty and trust, or with disregard to, much less defiance of, any treaties in the said article mentioned, the advices of Parliament, her Majesty's declarations from the throne, or any mutual assurances which had been made or renewed between her Majesty

and the States, to act in perfect concert with each other, in making peace as in making war: and he utterly denies that, in or about the months of July or August 1711, or at any other time, he did form any contrivance or confederacy to set on foot a private, separate, dishonourable, or destructive negotiation of peace, between Great Britain and France; nor doth he know of any such contrivance or confederacy formed by any of her Majesty's Privy Council, or that such negotiation was at any time set on foot. But the said Earl saith, he doth believe that, about the month of April 1711, her late Majesty did receive from France some proposals, in order to set on foot a treaty for a general peace, signed by M. de Torcy, Secretary of State to the Most Christian King; which, as he believes, were immediately communicated by her ambassador in Holland to the States General; whereupon, as he has been informed, they thanked her Majesty for her confidence in them, declared themselves to be weary of the war, and ready to join in any measures her Majesty should think proper for obtaining a good peace; and that they hoped her Majesty would bring the French to explain more particularly the several points contained in the above-mentioned proposals;" or to that effect: and that, after such request, her Majesty sent Matthew Prior, Esq. to the Court of France, in order to obtain as full and ample an explanation as he could of the first offers. But the said Earl denies that he did advise her Majesty to send the said Mr. Prior to the Court of France to make propositions of peace without communicating the same to her allies; or that the said Mr. Prior did, by his advice or privity, communicate any propositions to the ministers of France, wherein the interests of Great Britain or the common interest of Europe were betrayed; nor doth the said Earl know that the said Mr. Prior had any power to communicate propositions to the ministers of France, which betrayed either the interest of Great Britain, or the common interest of Europe. Therefore the said Earl insists, that there is no ground to charge him with the trea-

cherous or pernicious contrivances in this article mentioned: and if any article was inserted in any propositions to be communicated by the said Mr. Prior, "That the secret should be inviolably kept, till allowed to be divulged by the mutual consent of both parties;" yet the said Earl denies that such article was inserted by his advice; and if any such there was, he cannot, however, believe it was designed to exclude her Majesty's allies from the just share in the said negotiations: and hopes he may be allowed to observe, that in case any instructions were given for not divulging propositions which concerned Great Britain in particular, the same were far from manifesting such design as is before mentioned; since it is well known to be the undoubted right of every member of a confederacy, to demand particular advantages for themselves, not inconsistent with their alliances, and which are not to take place but on the conclusion of a general peace; and it has been usual for those to whom the first overtures of peace are made, to make demands for themselves in the first place; as the States particularly did in the negotiations at the Hague in the year 1709, and at Gertruydenberg in the year 1710. And though he apprehends that an agreement not to divulge the propositions, without the mutual consent of both parties, could not be to the prejudice of the allies; yet he believes that, in order to prevent any unreasonable jealousies among them, even those propositions which related to Great Britain in particular were communicated to them; and that it will likewise appear, that the propositions signed by Mons. de Torcy, and transmitted in the month of April 1711, in the said articles mentioned, whereby it is said, "The French King offered to treat with the plenipotentiaries of England and Holland alone, or jointly with those of the allies, at the choice ofEngland," were proposals relating only to the manner of treating when the conferences should be opened; and that her Majesty was so far from taking upon her to treat singly for the allies, that she chose to have all the parties admitted to the Congress, where

they might have an opportunity of treating and adjusting their respective interests; that being in her opinion the fairest method of proceeding, most advantageous to the confederates, and most likely to prevent jealousies and discords among them. And the said Earl saith, that he doth not know that any negotiation of peace was contrived or set on foot by any persons employed in her Majesty's service, which was in any respect more advantageous to France than France had asked, or which had the tendency to give the enemy a power to create misunderstandings between her Majesty and her allies, or to destroy the confidence between them.

In answer to the second Article, the said Earl saith, that he believes Mons. Mesnager, a subject of the French King, did, some time in the year 1711, with her Majesty's leave, come into the kingdom of Great Britain, and bring with him a letter from the said French King to her late Majesty, acknowledging her Majesty Queen of Great Britain, and likewise expressing a desire to re-establish peace with her; and that he was furnished with full powers from the said French King for that purpose. The said Earl further saith, that it hath been the usual and allowed practice in most nations, especially in England, for privy counsellors, by verbal orders from the Sovereign, to confer within the realm with ministers of foreign princes, and he conceives such practice to be agreeable to the laws of this realm; and that full powers are usually granted to ministers who are sent abroad, for the justification of the persons with whom they shall treat, rather than to justify such ministers themselves. And the said Earl denies that he did in the month of September 1711, or at any other time, secretly and unlawfully, or without authority, confer or treat with the said Sieur Mesnager on the negotiations of peace between Great Britain and France, or that he did advise or promote the making a private and separate treaty or agreement between the said crowns; but he hath been informed, and doth believe, that there was a paper, styled, "The Answer of France to the pre-

liminary demands of Great Britain," more particularly signed by M. Mesnager only; to which was subjoined a declaration of the Queen's acceptance of those preliminary articles as conditions his Most Christian Majesty consented to grant, which were to be reduced into the usual form of treaties, and explained after the most clear and most intelligible manner to the common satisfaction of Great Britain and France, and this only in case of a general peace; and this declaration, or some other declaration to the like effect, he believes might be signed by the Lord Dartmouth and Mr. Secretary St. John, as in the said article is set forth; but the said Earl must crave leave to submit it to the judgment of your Lordships, whether a paper of that sor (if any such there was,) containing offers from France, which were not to take effect but in case of a general peace, can be called a separate treaty: he believes the allies had early knowledge and participation of the said proposals from the ministers of Great Britain; but denies that the interests of Great Britain were thereby given up to France, or the Duke of Anjou admitted to be King of Spain; since, in the declaration annexed to the said proposals, he believes it is expressed, "That her Majesty might in justice expect the securities and advantages mentioned in those proposals, what prince soever he should be to whom the monarchy of Spain should be allotted:" and the said Earl, recollecting as well as he can what were her Majesty's views at that time, is persuaded that her Majesty had then a prospect that the monarchy of Spain would fall to the share of another prince. The said Earl denies that, by his privity, consent, or advice, any private or separate treaty or agreement, whereby the interests of Great Britain were given up to France, or the Duke of Anjou was admitted to be King of Spain, was agreed, concluded, or signed by the said Sieur Mesnager on the part of France, and by the Lord Dartmouth and Henry St. John, or either of them, in behalf of her late Majesty; much less did the said Earl at any time assume to himself regal power, or take upon him to

meet and treat with the enemy without authority from her Majesty, or do anything to subvert the ancient and established constitution of the government of these kingdoms, or introduce any illegal or dangerous methods of transacting the affairs of state. And the said Earl further saith, that he did never aim at or endeavour, by any separate treaty, to dissolve or cancel any of those solemn treaties in which her Majesty stood engaged to her allies; nor was he privy to any treaty whereby the Queen was brought under a dilemma, either to submit to the dictates of France in the progress of such negotiation, or to lose the confidence of her allies.

In answer to the third Article, the said Earl denies that, to disguise or carry on any private, separate, or dangerous negotiations, he did contrive or advise the preparing and forming the set of general preliminaries in the article mentioned, intituled, "Preliminary Articles on the part of France, to come to a general peace," or any other set of general preliminaries of like nature, or that the same should be signed by the Sieur Mesnager; or that he did advise her sacred Majesty, that the same should be received by her Majesty; and believes the same might be communicated to the ministers of the allies then residing in England, as a ground whereon the confederates might treat or negotiate concerning a general peace; but whether the same were communicated as the only transactions that had been on that subject between Great Britain and France, the said Earl knows not: but, since it is termed impious advice, and contrary to the duty and trust of a minister of state of Great Britain, to advise the receiving such articles, the said Earl, from his concern for the honour of her late Majesty's administration, and the future welfare of these kingdoms, doth submit, whether it is criminal for such minister to advise the receiving articles from a minister of a prince in war, containing proposals for giving reasonable satisfaction to Great Britain and all her allies, and which, being signed by the minister of that prince only, were not intended to bind any other; and

since preliminary articles are no essential step towards a general negotiation, there being, as he believes, but few instances where any matters of importance have been settled before the opening of general conferences, the said Earl doth not conceive that, if any minister of state had advised her Majesty to accept the preliminaries or offers from France, said to be signed by M. Mesnager, the 27th day of September 1711, as the foundation of a treaty, he had thereby offended against any known law, since the proceedings upon such preliminaries could not be more unsafe than proceeding without any at all. The said Earl denies that any treaty, signed by the Earl of Dartmouth or Mr. St. John, or either of them, on the part of England, and the Sieur Mesnager on the part of France, (if any such there be,) was industriously concealed from the allies, her Majesty's Council or Parliament, by his advice or contrivance; or that he dissuaded her Majesty from laying any such treaty before her allies, her Council or Parliament, or that he advised her Majesty to receive the said general preliminaries, or to communicate the same in her name, or by her authority, to the States General, as a sufficient foundation whereon to open the conferences of peace with France. The said Earl has been informed, and doth believe, that there were certain instructions prepared and signed by her Majesty, and delivered to the Earl of Strafford, her Majesty's ambassador to the States General, wherein the said ambassador might be directed to represent to the Pensionary of Holland, and such others as should be appointed to confer with him, in such manner as is set forth in this article, or to the like effect; but he denies that the said instructions were prepared, signed, or delivered by his advice. Nevertheless the said Earl believes the said instructions were well warranted by the truth of such facts as in the said article are set forth to be contained in those instructions; since the said Earl hath had credible information that, after her Majesty had received an account of the sense of some persons in Holland, concerning the overtures

made by France for the setting a general negotiation of peace on foot, very pressing instances were made on her Majesty's behalf with the enemy to explain the first offers made by M. de Torcy more particularly, and to form a distinct project of such a peace as they were willing to conclude; and that such instances had effect, will appear from the preliminaries said to be signed by M. Mesnager, September 27, 1711, wherein several explications are made, and many particulars of moment are contained, which were not in the propositions of M. de Torcy. Wherefore the said Earl apprehends, that the propositions said in this article to be sent over to France (if any such were sent) were not so general as the propositions of M. de Torcy, nor in any respect ensnaring or destructive to the interests of Great Britain or the allies; but yet the said Earl believes that her Majesty, at the same time she did communicate the said preliminaries to the States General, did likewise order her ambassador to acquaint them, "That she judged those articles did not contain such particular concessions as France would be probably obliged to make in the course of the negotiations;" or to that effect. If therefore her Majesty did, for the good and ease of her people, endeavour to prevail with her allies to enter into a negotiation of peace, and did communicate the said preliminaries to them with that view, the said Earl cannot be induced to believe, that the said general preliminaries, communicated to the States by her Majesty in manner aforesaid, were calculated to amuse and deceive them; nor doth the said Earl know or believe that her Majesty's instructions to her said ambassador, either in the particulars abovesaid, or in any other, contained matters false, prevaricating, or evasive: and the said Earl must take the liberty to affirm, that in the late negotiations of peace, as well as in all other public transactions of state, as far as he was concerned, he acted with the highest regard to the honour of her Majesty, and with the utmost zeal for the welfare both of her and her people; and is not conscious to himself that he ever gave any

counsels whereby the truth and sacredness which ought to constitute and accompany the instructions of public ambassadors to princes in friendship and confederacy against the common enemy, were in anywise prostituted, or the honour of her Majesty and of the imperial crown of these realms in any sort debased or betrayed. And he humbly hopes no instance can be given, wherein the royal hand of her late Majesty was made the instrument to advance the interest of the common enemy.

In answer to the fourth Article, the said Earl doth not remember what representations were made by Monsieur Buys to her Majesty, in relation to the propositions in the said articles mentioned: but saith, that if any representations were made, the same were not rendered ineffectual by any influence of the said Earl. And the said Earl doth admit that, at a Committee of Council, there might be made some declaration in her Majesty's name to M. Buys, to the effect in the said article mentioned; but doth not admit that any such declaration was made by him the said Earl, or by his management or contrivance: and the said Earl believes, that what was so declared to the said M. Buys was agreeable to truth, and to the real sentiments and intentions of her Majesty: nor doth he know wherein the said article, signed by M. Mesnager, and accepted by the Lord Dartmouth and Mr. St. John, (if any such were then signed,) were inconsistent with such declaration, or how her Majesty was thereby dishonoured, or her allies abused; or that any negotiation entered into with France was either dangerous in itself or fatal in its consequences.

In answer to the fifth Article, the said Earl admits, that her sacred Majesty Queen Anne did, in due form of law, and under her great seal, constitute the Right Reverend John Lord Bishop of Bristol and the Earl of Strafford, her plenipotentiaries, with full powers to meet, treat, and conclude with the plenipotentiaries of the confederates, and those whom the French King should on his part depute for that purpose, the conditions of a good and general peace, that should be safe, honourable,

and, as far as was possible, agreeable to the reasonable demands of all parties; and believes instructions were prepared and delivered to them, wherein they were instructed, among other things, to the effect in the said article set forth; and is firmly persuaded that, when the said plenipotentiaries were so instructed to insist that Spain and the West Indies should not be allotted to the House of Bourbon, no treaty had been negotiated and agreed that Spain and the West Indies should remain in a branch of that house; and he has reason to believe that, at the time when the said instructions were given to her Majesty's said plenipotentiaries, there was just ground to believe that King Philip would be induced to abandon Spain and the West Indies, and content himself with the dominions of Savoy and the kingdom of Sicily: and he believes he may so far depend on his memory as to say, "That he heard the late Queen declare, she believed the prospect King Philip had of succeeding to the crown of France would be an inducement to him to be easy with that allotment;" and it seemed probable, that the addition of the dominions of Savoy to the crown of France, in case King Philip should succeed to it, would be esteemed by the French court as a thing more to be desired by them, than that Spain and the Indies should remain in the possession of a younger prince of the House of Bourbon, under the condition of his renouncing the right he would have to the crown of France if the eldest branch should fail. These seem to him to have been her Majesty's views at the time when the said instructions were given to the Bishop of Bristol and the Earl of Strafford: and he therefore believes that whoever contrived or prepared the same, did prepare them conformable to her Majesty's real sentiments, and was far from any thought or design to abuse the royal authority, delude the States General, prejudice his Imperial Majesty or any of the allies, or carry on the measures of France. And if King Philip afterwards, upon information that the then Dauphin was likely to live, or at the pressing instances of the Spaniards and influence of Spanish councils, or upon any other motives, refused to accept of Savoy and Sicily, and chose rather

to renounce the French monarchy; he thinks no person who acts in the service of the crown can be safe, if it may be charged on him as a crime, that he advised instructions which, by intervening circumstances, afterwards became improper: but he the said Earl doth not admit that he contrived or prepared the said instructions, or was consenting or advising to the contriving or preparing of them, or prevailed on her Majesty to sign them; much less that he abused the royal authority to the delusion of the States General, or intended the prejudice of his Imperial Majesty or any of the allies, or was engaged to carry on the measures of France, or had, when the said instructions were prepared, negotiated or agreed with the ministers of France that Spain and the West Indies should remain in a branch of the House of Bourbon, or had prevailed on her Majesty to be party to any private treaty wherein the same is necessarily implied. If the plenipotentiaries were instructed, "That in case the enemy should object, that the second article of the seven signed by Monsieur Mesnager implied the Duke of Anjou should continue on the throne of Spain, to insist that those articles were binding to France, but laid neither the Queen nor her allies under any obligation;" the said Earl doth not apprehend how an instruction to her Majesty's plenipotentiaries, to make a just answer to a false inference that might happen to be drawn by the enemy from the words of such an article, can be interpreted as entering into a confederacy or collusion with the ministers of the enemy; or that her Majesty's consent to such instructions could imply any design to impose on his Imperial Majesty or the allies, or to conceal any negotiations between Great Britain and France. But the said Earl is confident it will not appear, by any of his actions, on the strictest scrutiny, that he ever entered into any confederacy or collusion with the ministers of the enemy, or prevailed on the Queen to give her consent thereto, or had any designs to impose upon his Imperial Majesty or any of the allies, or ever was privy to any secret negotiations or separate treaty between Great Britain and France, whereby, either in the before-mentioned or in any other

particulars, any reproach could be brought on the crown of these realms, or any treaties wherein her Majesty was engaged to her allies were violated.

In answer to the sixth Article, the said Earl doth admit, that after the conferences of peace between the plenipotentiaries of the allies and those of the enemy for negotiating a general peace were opened, wherein he is persuaded her Majesty and her ministers did act in perfect confidence with the allies, in order to promote their common interest, and to obtain from the enemy all just and reasonable satisfaction, the progress of the said negotiation was delayed by debates concerning the enemy's refusal to give their answer in writing to the demands of the allies; but he doth not know that any of the ministers of Great Britain did, by any encouragement or concurrence, contribute thereunto. And if during that time her Majesty thought fit to authorise any of her ministers to write or negotiate upon any particular points relating to the peace, directly from England to France, in order to facilitate the general negotiation of peace, which he the said Earl doth not admit to have been done by his privity; yet he the said Earl doth not apprehend that, by the constitution of the kingdom, or any law in being, the Queen was debarred from doing so; or that, by constituting the said plenipotentiaries, she had so far delegated to them her royal authority, as to be disabled, without revoking their commission, to treat or negotiate any matters conducing to that end in such other manner as she should think fit. The said Earl saith, that he did not advise, contrive, or promote any private, separate, or unjustifiable negotiation with France; nor doth he know any negotiation relating to the peace was carried on without communication thereof to the allies. And the said Earl denies that he ever assumed regal authority; or that he treated of peace with France in any manner that could be liable to such imputation; or did promote the design of the enemy, to the destruction of the common cause of her Majesty or of her allies, contrary to the laws or constitution of this kingdom, or in violation of any

of the alliances her Majesty stood engaged in, or of the assurances given by her Majesty, or of her instructions to her plenipotentiaries; or that any terms of peace were by him at any time concerted, prejudicial to the interest of her Majesty, or her kingdoms or allies, or whereby the good effects of the general negotiation were defeated.

In answer to the seventh Article, the said Earl saith, that he never advised her late Majesty to accept of a treaty with France, on a supposition that the Spanish monarchy should continue in the possession of a branch of the House of Bourbon; nor did he advise or carry on any private or separate negotiation with France, on the subject of a renunciation to be made by the Duke of Anjou of the right he might have to the kingdom of France, and that such renunciation should be the security against the reunion of the two kingdoms; or that by his counsels her Majesty was prevailed on to accept, and finally to conclude and ratify, a treaty of peace with France, wherein the said renunciation is taken as a sufficient expedient to prevent the mischiefs that threatened all Europe, in case the crowns of France and Spain should be united upon the head of one and the same person; nor doth he know that, during the said negotiation, any such memorial as in the said article is set forth was transmitted by the said Monsieur de Torcy to any of her Majesty's principal Secretaries of State: but he the said Earl doth freely acknowledge that, if he had been called upon to give his opinion concerning the leaving of Spain and the West Indies in the possession of a branch of the House of Bourbon, and accepting the renunciation of his right to the kingdom of France by the Duke of Anjou, he doth not at present see any reason why he might not have been of opinion for leaving Spain and the West Indies to the present possessor, and accepting the renunciation, rather than have continued the war, so burthensome to the people, and impracticable upon the foot on which it then stood; especially since all endeavours to remove him by treaties or force had so long proved ineffectual: and in case any such

memorial as is set forth in the said article was sent by any minister of France to the Secretary of the late Queen, he should look upon the same as a proof of the earnestness of the court of France to avoid such renunciation, which might more effectually prevent all possibility of annexing the crown of Spain to that of France. But whatever inducements might be for such a memorial (if any such was transmitted,) the said Earl doth affirm, that he never gave any counsels by which the interest of the common cause could be betrayed into the hands of the enemy; nor doth he think it was possible, by any power and influence, to engage her Majesty to become party with France in any deceit; but whatever credit he at any time had by her favour, he always used it with the utmost sincerity, for her service and the good of her people.

In answer to the eighth Article, the said Earl believes that her late Majesty Queen Anne did, on the 7th day of December in the year of our Lord 1711, recommend it from the throne, "That provision might be made for an early campaign, in order to carry on the war with vigour, and as the best way to render the treaty of peace effectual;" and he doth believe that, in order thereto, supplies were granted, and magazines provided at a great expense, for an early campaign; and that in pursuance thereof, her Majesty might send some general officers to explain her intentions to her allies; and likewise instructed her general the Duke of Ormond to declare her resolutions of carrying on the war, and to concert with the generals of the allies the proper measures for entering upon action: and he doth believe that the confederate army was provided with all necessaries; but whether the said army had approached, or how near they had approached, to the enemy,—whether they had any, or what superiority as to the number of troops—or what likelihood there was that they would have been able, either by battle or siege, to have bettered the affairs of the allies, or to have facilitated the negotiations of peace,—the said Earl is not able to say: but it must be obvious to every one, that any miscarriage or disaster

on the part of the allies, at such a juncture, must have been fatal to them; and though the Divine assistance had been very remarkable in the many victories her Majesty's forces had obtained, yet her Majesty's piety was so great, that it is not likely she should, without the greatest necessity, have been willing to have tempted that Providence which had been so signal in her favour, by hazarding the blood of her subjects, at a time when she had so near a prospect of the conclusion of a peace. And the said Earl believes it might be owing to this piety of the Queen, and her knowledge of some important matters then depending, that directions were sent to the Duke of Ormond (if any such were sent) to avoid engaging in any siege, or hazarding any battle, till further orders; which he supposeth her Majesty might do upon any causes she thought proper, as well as the Deputies of the States; who, as the said Earl hath been informed, have often refused to engage in siege or battle upon such ground as they alone thought fit, when their own generals and the generals of the other allies were of opinion they had a visible advantage of the enemy, and might engage in such siege or battle with great probability of success. But he doth affirm, that the ministers of France never represented to him, or to any others, as far as he knows, during any negotiation, any apprehensions they had from the bravery and good disposition of the confederate army; nor was he ever informed of any sure prospect which, it is alleged, the army of the confederates then had of gaining new conquests over the army of France, or whereby they would have been enabled to have forced any better terms of peace than there was at that time likelihood of; but, on the contrary, he has been informed that the forces of France were superior in number to those of the confederates, especially in horse. However, the said Earl doth not admit that he did advise or consent that any order should be despatched in her Majesty's name to the Duke of Ormond to the aforementioned effect; nor had he any view or design to disappoint the expectations of the allies, or to give success to any negotiations with the ministers

of France. The said Earl likewise denies that he did consent or advise that orders should be sent to the Bishop of Bristol, one of her Majesty's plenipotentiaries, then at Utrecht, to declare to the Dutch ministers, "That her Majesty looked on herself, from their conduct, to be then under no obligation whatsoever to them." He doth not know what alarm the allies might take, or what representations they made to the Bishop of Bristol of their dissatisfaction or consternation; but doubts not the said Bishop would readily represent what they desired, though such representation made by his Lordship, if any such there was, fell not under the knowledge of the said Earl; nor doth he admit that any application of that kind was made to him: and in case the States General made such address directly to her Majesty, by a letter of the 5th day of June, as in the said article is set forth, he the said Earl, not being acquainted therewith, could neither advise her Majesty to hearken to the instances therein made, nor to disregard or reject the same. He saith, he never entered into measures for the advancement of the interest of the common enemy; or countenanced, encouraged, advised, or promoted, any negotiations with France, without participation of the allies, or contrary to her Majesty's engagement, or to the ruin of the common cause: nor is he conscious to himself that he ever gave any counsels by which the progress of the victorious arms of the confederates was stopped, or any opportunity lost for conquering the enemy, or which had any tendency to destroy the confidence between her Majesty and her allies, or make the French King master of the negotiations of peace, or which could put the affairs of Europe into his hands.

In answer to the ninth Article, the said Earl denies he was privy or consenting to any concert with the ministers of France, for the separating the troops in her Majesty's pay from the rest of the confederate army: and, not being privy to any such concert, he hopes it will not be imputed to him as any want of duty, that he did not advise against such a proceeding. He denies also that he ever entertained the least design of imposing

upon the allies any necessity of submitting to the terms of France, or of leaving the confederate army to the mercy of the enemy; or that he did consent or advise her Majesty, that the Duke of Ormond, and the troops in her Majesty's pay, or such of them as would obey his orders, should separate themselves from the army of the confederates. The said Earl hath been informed, and believes it to be true, that the Imperial general, and some other generals, did propose to the Duke of Ormond, in June or July in the year 1712, to decamp from the ground where they lay, and to proceed towards Landrecy, in order to form the siege of that place; and that the Duke of Ormond thought it not proper to consent thereto, and gave notice to the said generals, "That if they decamped, they must not expect him to follow them." And the said Earl believes instances may be given, where generals of other potentates in the alliance have refused to comply with what has been proposed to them by her late Majesty's general. The said Earl hath likewise heard, that notwithstanding such notice from the Duke of Ormond, the said generals separated themselves and their forces from the said Duke, and marched towards Landrecy without him; and that the said Duke continued for some time in his former camp after such separation; and that the generals of the auxiliary troops paid by her Majesty, although required by the said Duke of Ormond, under whose command they then were, to continue with him and to obey his orders, refused so to do. He the said Earl supposes it might proceed from her Majesty's resentment of that instance of disobedience in the auxiliary troops to the commands of her general, that she did not think fit immediately to pay the arrears of those forces which had so obstinately withdrawn themselves from her general, and marched without him towards Landrecy; as not apprehending herself obliged by any conventions, or the provision of any act of parliament, so to do. But, whatever might be the causes or occasions of her Majesty's resentment, the said Earl saith, that he, being in the office of High Treasurer under her Majesty, could not by the duty of his

place issue out any monies without a proper warrant or authority from her Majesty: and denies that he ever received any warrant or authority from her Majesty for issuing any sum or sums of money, for or towards the pay or subsidies on account of the said foreign troops who had so separated; without which, the issuing or directing any monies for the payment of them had been a violation of his duty. And the said Earl denies that he did at any time refuse or put a stop to any such pay or subsidies; but, on the contrary, when the ministers of the princes to whom those forces belonged did apply for the payment of the said troops, the said Earl desired them to make application to her Majesty for the necessary warrants in order thereunto. And as the said Earl had no notice of any separation intended between her Majesty's forces and those of the allies before the same was made, so he absolutely denies that, by his advice or counsel, or with his privity, any such separation was made; and humbly apprehends that he ought not in justice to be charged with any consequences of it. He believes that the forces of some of the allies were engaged in the unfortunate action of Denain; and that the siege of Landrecy was raised, and the towns of Quesnoy, Bouchain, and Douay were some time after retaken by the French army: but whether those disasters might not have been prevented by a compliance with the measures her Majesty had taken for the common good, the said Earl submits to your Lordships.

In answer to the tenth Article, the said Earl denies that he did carry on or concert with the ministers of France a private or separate negotiation for a general suspension by sea and land between Great Britain and France, or that he did advise her Majesty to send over Henry Viscount Bolingbroke to the Court of France, with powers to settle such suspension; but hath been informed, and believes it may be true, that, about the 19th of August, N. S. 1712, a suspension of arms was agreed on in France, by the said Viscount Bolingbroke on her Majesty's part, for four months: but whether such agreement

was made without the knowledge or participation of her Majesty's allies, or how far the terms of peace were then settled with France, either for Great Britain or the allies, the said Earl is not able to set forth; but, from the informations he hath received of that affair, believes it will appear that the said suspension was a continuation only of a former agreement for a cessation of arms, which had been not only communicated to the allies, but into which they had been invited: and believes her Majesty might be induced to desire such cessation, as what was usual amongst princes and states in war during negotiations of peace, by which means the British merchants enjoyed a free trade, and had an opportunity of carrying the merchandises of other countries to several parts of Europe, as the Dutch had done during the war. And therefore, the said Earl doth not conceive that her Majesty by the said suspension did in the least intend the violation of any treaties between her and her allies, or to deprive them of any assistance to which they were entitled, or expose them to the insults of the common enemy; nor doth he discern how these consequences could ensue, without the default of the allies themselves; much less how the ties of union and friendship between her Majesty and them were cut asunder, or her Majesty's person or government, or the safety of her kingdoms, or the Protestant succession, were exposed thereby: but the said Earl assures himself, that he shall never stand chargeable with any consequences of such suspension, which he never advised; nor did he the said Earl ever entertain the least thought or design of occasioning the destruction of the common cause of Europe, or hindering her Majesty from resuming the war against France in conjunction with her allies, if it had been so thought fit, or of weakening the union between her Majesty and them.

In answer to the eleventh Article, the said Earl saith he believes it to be true that, in or about the months of September or October 1712, the States General were in possession of the town and fortress of Tournay, and that her Majesty, in

her instructions of December 23, 1711, to her plenipotentiaries at Utrecht, did direct them to insist with the plenipotentiaries of France, in the general Congress, "That towards forming a barrier for the States General, Tournay should remain to the States;" and doth believe the French King did at one time incline thereunto; but doth not know that her Majesty, in her speech in the said article mentioned, did declare herself as in the said article is set forth. The said Earl admits that, until and after the months of September and October 1711, there was open war between her late Majesty and the French King, and that during such war the French King and his subjects were enemies to the late Queen: but the said Earl hath been informed, and believes, that full powers were given by her Majesty and the States General of the United Provinces to their respective ministers, and by the French King to his ministers, to negotiate and treat of peace between her Majesty and the States General and the said French King, upon which negotiations a peace was afterwards concluded between them; during which negotiations he hath heard, that the French King did insist upon the yielding up the town and fortress of Tournay by the States to him; and the said States General desired her Majesty's interposition with the French King on their behalf: and that, at such request, her Majesty interposed her best offices on behalf of the States General, and did at last prevail that the said town and fortress of Tournay should be (and he believes the same is) continued to the States General, as part of their barrier. But the said Earl absolutely denies that he did design to give aid or succour, or to adhere to the French King; or that he did in or about the month of October 1712, or at any other time during the said war, aid, help, or assist, or adhere to the said French King; or that he did ever counsel or advise the said enemy, in what manner or by what methods the said town and fortress of Tournay, or either of them, might be gained from the States General to the French King, in manner and form as in the said article is charged: on the

contrary, he the said Earl did use his best offices to preserve the said town and fortress of Tournay to the States General. But the said Earl saith that, during the negotiations of the late peace, he had the honour to be one of her said late Majesty's Privy Council, and whatever counsel or advice he gave relating to any terms of the said peace, he acted therein as a privy counsellor and minister of state, and no otherwise; and doth insist, that for any privy counsellor or minister of state, during the negotiations of peace, to advise or negotiate concerning the yielding or giving up any town, province, or dominion, upon the conclusion of the peace, as part of the terms and conditions of such peace, is not high treason by any law of this realm; and that such construction might hereafter deprive the crown of the advice and assistance of several members of the Privy Council in matters of the greatest importance, by deterring them from giving such advice as by their oaths and the duty of their place they are obliged to do, would overthrow all means of restoring amity between princes, and render the law in case of high treason uncertain, (which by reason of its being the most penal, ought to be most plain,) and would be highly dangerous and destructive to the lives and liberties of the subject.

In answer to the twelfth Article, the said Earl, not admitting that her late Majesty Queen Anne stood engaged by treaties in manner as in the said articles is alleged, but referring himself to the treaties when they shall be produced, for answer, denies that he did in any of the years 1710, 1711 and 1712, or at any other time, aid, help, assist, or adhere to the Duke of Anjou in the said article named; or advise or counsel any of the enemies of her said late Majesty, or concert with any of them, or promote the yielding or giving up Spain and the West Indies, or any part thereof, to the said Duke of Anjou, in manner and form as in the said article is alleged. And the said Earl saith, as in his answer to the eleventh article he hath already said, that during the negotiations of the

late peace, he had the honour to be one of her said late Majesty's Privy Council, and whatever counsel or advice he gave, relating to any terms of the said peace, he acted therein as a privy counsellor and minister of state, and no otherwise; and insists as in his answer to the eleventh article he has insisted.

In answer to the thirteenth Article, the said Earl admits that the flourishing condition of trade and navigation contributes much to the riches, power, and strength of these kingdoms; and believes that her late Majesty had a just regard thereto, and a sincere desire to obtain some advantages therein for her people, and did make the several declarations from the throne set forth in this article; and that both Houses of Parliament did from time to time express their grateful acknowledgments to her Majesty, for the great care and concern for the welfare of her people; and believes her Majesty might think it reasonable, considering the share and burden she and her people had sustained in the war, that France should in the first place adjust the interests of Great Britain, which were to be secured on the conclusion of a general peace: but the said Earl doth not know or believe that, at the setting on foot, or in the progress of, any negotiation between the ministers of Great Britain and France, it was laid down as a principle, that France should in the first place consent to adjust the interests of Great Britain, to the intent that the ministers of Great Britain might thereby be enabled to engage the Queen to make the conclusion of the peace easy to France; nor doth he know that any concessions were made by the ministers of Great Britain with intent to promote the interests of France against the allies, or that any measures were entered into or concerted between them, in order to strengthen the hands of the French, or to enable them to impose the terms of a general peace: and the said Earl doth absolutely deny that he was engaged in concert with France in any negotiation destructive to his country; or that he ever had the least imagination or thought tending that way, or to the sacrificing the commerce of Great

Britain to the aggrandizement of France; but, on the contrary, he hath always had the most real and sincere desires to secure and advance the commerce of Great Britain, and to preserve his country, in whose service he hath been always ready to sacrifice himself and every private interest whatsoever. And the said Earl is not conscious to himself of any want of duty, either in not insisting upon, or not procuring, the most certain securities that could be obtained for the safety and advantage of the commerce of these kingdoms; and the said Earl doth not admit, that he did advise her late Majesty that any propositions should be sent by Mr. Prior to France, or that any private or separate treaty, or the preliminary articles, which are said to be signed the 27th day of September 1711, should be signed: but the said Earl hath been informed, and believes, that in a paper entitled "The Answer of France to the Demands of Great Britain more particularly," it is said, "That the entire restitution of Newfoundland and of the Bay and Streights of Hudson was demanded for the English;" and that the French King's answer was, "That the discussion of that article should be referred to the general conferences of the peace; provided the liberty of fishing and drying of cod-fish upon the Isle of Newfoundland should be reserved to the French:" and the said Earl conceives that paper not conclusive, but was to be the subject of future conferences, wherein the whole matter might be entirely considered; and consequently, that the entering into conferences upon that paper was not the yielding to the French liberty of fishing and drying fish on Newfoundland, which they insisted on: and the said Earl denies that he advised the demands of Great Britain, in point of commerce, should be made in loose, general, or insufficient terms; or that he advised the liberties insisted on by the French should be given up to France, as in the said article is alleged: and he believes, that when it is considered what advantages were likely to ensue to the commerce of Great Britain by the Assiento contract and the liberty of

trading to the Spanish West Indies, by the cession of Accadia, the Bay and Streights of Hudson, the Island of St. Christopher, Newfoundland, the Island of St. Peter, with other adjacent islands—by the demolition of Dunkirk, and the cession of Port Mahone and Gibraltar, it will not be thought the commerce of Great Britain was neglected by her Majesty in the late treaties of peace; and as the said Earl doth not know that France was at any time master of the negotiations, so he denies that he did engage her Majesty in any private treaties with France without security for the commerce of Great Britain, or that he did contrive with any of the ministers of France to keep in suspense any matters that concerned the said commerce, or that he was in any ways instrumental to the preventing any advantages of the said commerce from being settled; or that he endeavoured to elude anything that had been agreed on in any negotiations for the benefit of Great Britain. And although the said Earl doth not admit that he advised the ninth article of the treaty of commerce with France, yet he begs leave to observe, that nothing is positively stipulated in that article, but the whole is conditional, and left to be determined by the wisdom of Parliament; and hopes it will never be thought an act of treachery to refer any article of any treaty to the judgment and consideration of Parliament, whatever judgment the Parliament shall think fit to make thereon. And the said Earl denies that he advised her Majesty to agree with France, that the subjects of France should have the liberty of fishing and drying fish on Newfoundland: but the said Earl believes that what her late Majesty agreed with France relating thereto will not seem unreasonable, if it be considered that the French long ago claimed a right to, and were in possession of, great part of Newfoundland; and that they were allowed to continue in possession thereof by the crown of England, in a treaty made at Whitehall in the year 1686, and in another treaty made at Ryswick in the year 1697: and the said Earl doth not know that such agreement of her Majesty is contrary

to the express provision of any act of parliament; since he presumes, the act made in the 10th and 11th years of the reign of King William the Third, intituled "An Act to encourage the Trade of Newfoundland," cannot reasonably be intended or construed to extend to any part of the island, other than what was at the time of making that act in the possession of the English: and the said Earl is informed, that at that time the part of Newfoundland where the subjects of France are, by the treaty of Utrecht, allowed the liberty of fishing and drying fish, was not in the possession of the English. The said Earl denies that he advised her Majesty to make a cession to France of the Isle of Cape Breton; or that he advised her Majesty to consent that what is agreed in the treaty of Utrecht concerning the fishery of Newfoundland or Cape Breton should be made an article in that treaty: however, the said Earl doth not know that Cape Breton was part of the territories of the crown of Great Britain; nor doth he apprehend that her Majesty, who, in her speech from the throne, declared "That France had consented to make an absolute cession of Annapolis, with the rest of Nova Scotia or Accadie," should be understood to speak of Cape Breton, which is no part of that continent, but an island distinct from it. The said Earl further saith, he conceives that the only advantages in trade stipulated for Great Britain did not depend upon conditions to be made good by act of parliament; on the contrary, he doubts not to make it appear, that many advantages in trade were stipulated for Great Britain in the late treaties of peace and commerce, which have been enjoyed by the subjects of Great Britain since the conclusion of the said treaties, notwithstanding the Parliament has not thought fit to make any act to enforce the ninth article of the treaty of commerce with France; and the said Earl denies that by his counsel the good intentions of her sacred Majesty to have obtained for her people advantageous terms of commerce were frustrated, or the trade or manufactures of Great Britain rendered precarious or at the mercy of the enemy, or

any beneficial branch of trade yielded up to the subjects of France. And as the said Earl disowns the being concerned in any violation of treaties, or in carrying on the measures of France, or in any negotiation which could terminate in the sacrifice of the commerce of Great Britain to France; so he observes with great satisfaction the flourishing condition of the trade and navigation of these kingdoms, since the conclusion and by means of the late peace, in the great increase of the number and tonnage of shipping, of the exportation of the woollen manufactures, the fish, and other produce of this kingdom; in consequence whereof, the customs have been greatly advanced, near three millions of gold and silver hath been coined, and the exchange has been all along in favour of England to and from all parts of Europe.

In answer to the fourteenth Article, the said Earl doth not admit that he formed any project or design for disposing the kingdom of Sicily to the Duke of Savoy from the House of Austria; or that he did advise her Majesty to give any such instructions to Henry Viscount Bolingbroke as in the said article is mentioned, or to consent to any treaty wherein a cession is made of the said kingdom to his Royal Highness, without any concurrence or participation of his Imperial Majesty; nor doth he admit that her Majesty was prevailed on by his advice to assist his said Royal Highness with her fleet against the Emperor, in order to obtain the possession of that kingdom: but, in justification of her Majesty's proceedings in relation to the said kingdom, the said Earl doth beg leave to observe, that, by the grand alliance, it was agreed, among other things, "That the confederates should use their utmost endeavours to recover the kingdom of Sicily out of the hands of the enemy;" and that the principal ends for the endeavouring the recovery of Sicily were, "That his Imperial Majesty might have a reasonable satisfaction for his pretension to the Spanish monarchy, and that the trade and navigation of the subjects of Great Britain and Holland might thereby be better secured." Since, therefore, the empire

and hereditary countries of Austria were now fallen to Charles the Third, who at the time of that treaty was a younger branch of that House; since several towns in the French Flanders which were not in the possession of King Charles the Second at the time of his death, together with Spanish Flanders, Milan, and Naples, might seem a reasonable satisfaction for his Imperial Majesty's pretensions to the Spanish succession; and since the trade and navigation of the subjects of Great Britain and Holland would be as effectually secured by the disposition of the kingdom of Sicily to the Duke of Savoy, as if the said kingdom had fallen to the share of the Emperor; and greater difficulties would be likely to arise in obtaining the disposition thereof to the House of Austria than to that duke, inasmuch as King Philip might be more easily induced to yield it to the Duke of Savoy, than to so potent a prince as the Emperor; and there were grounds to believe that all or most of the Princes and States of Italy were so apprehensive of the growing power of the House of Austria in Italy, that they would suffer any extremities rather than submit that Sicily, together with Milan and Naples, should be in the hands of the Emperor,—the said Earl doth not discern how any project to dispose the said kingdom to that duke could be thought unjust, dishonourable, or pernicious, or an act of injustice to his Imperial Majesty, or violation of the grand alliance; nor doth the said Earl remember in what respect it was contradictory to any declaration of her Majesty, or the instruction she had given her plenipotentiaries; and in case her Majesty thought fit afterwards to employ any part of her fleet to assist that duke, her good and faithful ally, to take possession of that kingdom from the enemy, in consideration of the said Duke's steady adherence to the confederacy, and great sufferings by such adherence, he the said Earl is not able to discover why such assistance might not be given to the said Duke, as well as to any other of her allies whatsoever: and since it is allowed by this article, that the then Duke of Savoy never made any application in order

to obtain the said kingdom for himself, it seems an evidence at least, that the person or persons who advised the late Queen to agree to such allotment did not act upon any private interest, or had any other view than the preservation of a balance of power in Europe, and the security of the trade and navigation of the subjects of Great Britain and Holland ; and cannot reasonably be thought, upon a fair and candid interpretation, to have been guilty of betraying the national faith or honour of the crown, or employing the naval power of these kingdoms, or the supplies granted by Parliament, against any ally of this kingdom.

In answer to the fifteenth Article, the said Earl saith he is and always was of opinion, that the word of the sovereign is sacred, and that all communications from the throne to Parliament ought to be true; and that it becomes all ministers of state, as far as in them lies, to maintain the honour of the crown, in such cases, with the utmost exactness: nor doth the said Earl know that he hath at any time been defective in his duty in this particular; or ever took upon himself any arbitrary or unwarrantable authority, much less the chief direction and influence in her Majesty's Councils: nor did he ever prostitute the honour of the Crown, or dignity of Parliament, by misrepresenting any part of the late negotiations of peace, to deceive either her Majesty, her allies, her Parliament, or her people: nor did he ever prepare, form, or concert, or advise her Majesty to make any speech or declaration from the throne to her Parliament, that was not conformable to truth. He believes her Majesty might make several speeches from the throne to her Parliament, at the several times in the said articles mentioned, to which the said Earl refers; and particularly that her Majesty did, on the 7th day of December 1711, declare, "That her allies, especially the States General, had, by their ready compliance for opening a treaty of a general peace, expressed their confidence in her." But the said Earl, not admitting there were such representations as suggested in this article, begs leave, in vindication of the honour of his royal mistress, who was a princess

of strict piety and truth, to observe, that the States General sent over M. Buys to her Majesty, with letters full of assurances of their respect for her person, and their resolutions not to separate themslves from her; and likewise signified by him to her ministers, their readiness to concur with her Majesty: and the said M. Buys, immediately upon his arrival at London, delivered passports for the French ministers to come to Utrecht; and at a meeting of several Lords of the Council, showed his approbation of sending circular letters to invite the rest of the allies to the general Congress: and the said M. Buys exhibited full powers for preparing and signing a new treaty, whereby her Majesty and the States should be mutually engaged to each other in making war and peace, to guarantee the peace when made, and to invite the rest of the allies into such guarantee. All which matters and transactions being previous to the 7th of December 1711, her Majesty might justly regard the aforesaid authentic acts and assurances as greater proofs of the confidence the States had in her, and of their readiness to concur with her, than any representations or reports before that time; and that the said declaration of her Majesty from the throne was founded upon the strictest truth. And the said Earl believes, that every one who impartially considers the steps taken in the late negotiations of peace, the length of the treaty, the several letters from one of her Majesty's principal Secretaries of State to her plenipotentiaries at Utrecht, the ratification of the engagement signed by her ministers and M. Buys the 18th of December 1711, and her exhorting the States to ratify the same; her pressing instances to the Princes and States of the Empire, and the many other acts which were done by her Majesty's orders, during that transaction, for the service and satisfaction of her allies—will readily acknowledge, that her Majesty did her utmost to procure for her allies, and in particular for his Imperial Majesty, all reasonable satisfaction, and to unite with them in the strictest engagements to render the peace secure and lasting, agreeable to her speech of the said 7th day of December, and her message of the 17th of

January following, in this article mentioned; and if, by any extraordinary demands or groundless jealousies of any of the allies, or other accidents, her Majesty was not able to obtain for them all the advantages she desired, this will not derogate from the truth and sincerity of her Majesty's expressions; and it is evident her Majesty did procure them so great satisfaction, that the allies did all sign the peace at the same time with her Majesty, excepting only the Emperor; and even his interests were so far adjusted, that what remained in dispute was not thought of consequence sufficient to delay so great and good a work; and it is well known the Emperors of Germany have frequently declined signing their treaties of peace at the same time with their allies: but that her Majesty was induced by any influence of the said Earl to enter into any negotiation with France exclusive of her allies, or that the said Earl carried on any such negotiation, or that the interest of the said allies, or in particular of the Emperor, were, by any practices of his, given up to France, he utterly denies. And when it is considered, that much British blood and treasure had been spent to recover Spain and the West Indies from the House of Bourbon; that an expensive war had for many years continued, which her Majesty still supplied with new recruits and redoubled expense; that her armies, and those of the allies, had been beaten in Spain; that Prince Eugene had declared, "That 40,000 men and 4,000,000 of crowns per annum would be necessary for carrying on that war, and that his master could supply no more than a fourth part of that charge;" that it was found by long experience how averse the people of Spain in general were to submit themselves to the House of Austria; that her Majesty discerned the charge of renewing the war in Spain would be a burthen too great for her subjects, and that there was little probability of its being successful; that the hereditary countries were then, by the death of the Emperor Joseph, fallen to King Charles, who was soon afterwards chosen Emperor (by which event the interests of the Princes and States of Europe were changed); it cannot be

doubted but that her late Majesty had, at the time when she made the aforesaid declaration, done her utmost to recover Spain and the West Indies by force of arms; and the most she could do afterwards was by way of negotiation, wherein she insisted with that earnestness on King Philip's quitting Spain, that France complied with her Majesty's proposals: but when King Philip could not be prevailed on to give up Spain, her Majesty thought his renunciation of the crown of France, as circumstances then stood, the most practicable, if not the only method left, to prevent the union of those two monarchies. But the said Earl doth not think it probable, that the leaving Spain and the West Indies to the House of Bourbon was the foundation of the preliminary articles signed by M. Mesnager, and of the declaration annexed, which had been signed by the Lord Dartmouth and Mr. St. John with her Majesty's consent, (and which the said Earl supposes is what is called the private treaty in this article,) since he believes it was then thought more likely that the crown of Spain might fall to some other prince. And the said Earl doth not observe how her Majesty can be charged with uttering any falsity in her message of the 17th day of January, wherein she takes notice how groundless the reports were, that had been spread, of a separate peace being treated; for which report there was not then, nor at any other time, the least foundation; since only some few points were adjusted, relating to the particular interests of her own kingdoms, and even those were to have no effect but upon the conclusion of a general peace, and were likewise, before such conclusion, communicated to the allies. And the said Earl denies that thenceforth, or at any time, there was carried on by him any separate measures with the ministers of France. Nor doth he conceive that the proposal about the renunciation was merely speculative; but that it was of such a nature as would execute itself, and keep the crowns of France and Spain more effectually divided than ever; if it be considered, that it did not consist only in a renunciation to be made by Philip, then in possession of the crown of Spain, of his contin-

gent right to that of France; but that there was a title to the crown of France thereby given to the Duke of Orleans, and after him to the rest of the Princes of the House of Bourbon, who could not be presumed to want the will, nor would be likely to want the power, to take possession of the crown of France, by virtue of such title, in opposition to a prince at such a distance, and who had solemnly renounced all his pretensions to it: nor can the said Earl think the declaration of any minister of France against such expedient (if any such there was made) a sufficient ground for her Majesty to decline it. The said Earl therefore must beg leave to repeat, that he is not able to discover, from anything that appears in those speeches, that, in the particulars aforementioned, or any other, the essential points relating to peace and commerce, or which concerned the interests either of her allies or Great Britain, were misrepresented by her Majesty: nor doth he know or believe, that any instance can be given wherein he abused the favour of his royal mistress, to whom he did always bear and pay the most sincere veneration and duty; or wherein he did mislead her Parliament into any groundless or fatal resolution, or prevented their advice to her Majesty, or obtained their approbation to any dangerous practice, or whereby her Majesty could be ever deprived of the confidence of her allies, or exposed to contempt.

In answer to the sixteenth Article, the said Earl doth insist, that, by the laws and constitution of this realm, it is the undoubted right and prerogative of the sovereign, who is the fountain of honour, to create peers of this realm, as well in time of Parliament as when there is no Parliament sitting or in being; and that the exercise of this branch of the prerogative is declared, in the from or preamble of all patents of honour, to proceed, 'ex mero motu,' as an act of mere grace and favour; and that such acts are not done, as many other acts of a public nature are, by and with the advice of the Privy Council; or as acts of pardon usually run, upon a favourable representation of several circumstances; or upon reports from the Attorney-

general, or other officers, that such acts are lawful or expedient, or for the safety or advantage of the crown; but flows entirely from the beneficent and gracious disposition of the sovereign. He further saith, that neither the warrants for patents of honour, the bills or other engrossments of such patents, are at any time communicated to the Council or the Treasury, as several other patents are; and therefore the said Earl, either as High Treasurer or Privy Counsellor, could not have any knowledge of the same: nevertheless, if her late sacred Majesty had thought fit to acquaint him with her most gracious intentions of creating any number of peers of this realm, and had asked his opinion, whether the persons whom she then intended to create were persons proper to have been promoted to that dignity, he does believe he should have highly approved her Majesty's choice; and doth not apprehend that, in so doing, he had been guilty of any breach of his duty, or violation of the trust in him reposed, since they were all persons of honour and distinguished merit; and the peerage thereby was not greatly increased, considering some of those created would have been peers by descent, and that many titles of peers were then lately extinct; and the said Earl believes many instances may be given, where this prerogative hath been exercised by former princes of this realm in as extensive a manner, and particularly in the reigns of King Henry VIII., King James I., and his late Majesty King William. The said Earl begs leave to add, that in the whole course of his life, he hath always loved the established constitution; and in his private capacity, as well as in all public stations when he had the honour to be employed, hath ever done his utmost to preserve it, and shall always continue so to do.

IN ANSWER TO THE FURTHER ARTICLES OF IMPEACHMENT EXHIBITED AGAINST THE SAID EARL.

As to the first of those Articles, he saith, that he believes, in or about the month of January 1710, an expedition was projected, for making a conquest of the city of Quebeck, on the

river of St. Lawrence, Canada, or other possessions of the French King, in North America; but denies he advised her Majesty either to consent to the making such expedition, or to give orders for detaching any battalions of the forces in her Majesty's service in Flanders, or to send any such battalions or any squadron of men-of-war on the said enterprize; but having heard that the said project, or some expedition of the like nature, had been some time before considered in a Committee of Council and afterwards laid aside for that time, and not being fully apprized of the whole project, nor so well versed in the affairs of that part of the world as others who had more opportunity of knowing them, and lest the expedition might not at that time prove so feasible or advantageous as others of better knowledge in those matters than himself did expect, he did all that he apprehends his duty required to prevent the putting the same into execution, and expressed his concern at it to some persons about the Queen; and having so far shown his opinion of the said design at that time, believes it would not have been thought proper for him to have appeared at the meetings, where the methods only of carrying on the expedition were to be adjusted; of which meetings there had been but few before a misfortune befel him, which confined him to his bed. But the said Earl denies that he knew the said expedition was dangerous and destructive; nor did he hear that it was laid aside formerly, by a Committee of Council, as dangerous or impracticable, but only as improper in the circumstances of affairs at that time; nor doth the said Earl know or believe the said expedition was set on foot with any design to promote the interest of the French King, or to weaken the confederate army in Flanders, or to dissipate the naval forces of this kingdom: and when others of her Majesty's Council, better acquainted with that affair, did judge it to be proper and practicable, he did not think it became him, upon the strength of his own single judgment, further to oppose an expedition, which, if it had succeeded, most certainly would have given a great and sensible blow to the settlements and trade of France in that

part of the world. And the said Earl, with good reason, is persuaded your Lordships will not think it unfit that her Majesty should take the opinion of those who better understood affairs of that nature, or that your Lordships can judge the said Earl in that respect to have been wanting in his duty to her Majesty; but hopes it will be rather an evidence of his fidelity to the Queen and his country, that he so far discouraged what, in his own judgment, he was diffident of: however, he is satisfied that those of her Majesty's Council who did approve the expedition acted therein with a sincere desire for the public good, notwithstanding the ill success it was attended with; which might chiefly be owing to delays by contrary winds, and other unforeseen accidents: and he doth not believe that her Majesty's allies did suffer any prejudice, or the common enemy receive any advantage, by the detaching of forces from Flanders to serve on this enterprize and is informed that, to prevent any such danger; her Majesty's General who commanded at that time in Flanders had orders for providing other forces in their place, if he judged it necessary. And the said Earl doth acknowledge, that the sum of 28,000*l.* or thereabouts, was demanded at the Treasury, about June 1711, on account of arms, accoutrements, goods, and merchandise, said to be sent on the said expedition to Canada. But he saith, that he was so far from advising her late Majesty that the said sum should be issued and paid, that, on the contrary, he put a stop to the payment of the same, until he had done all he could at that time to examine into the expenditure of the said money: but being then High Treasurer of Great Britain, and having received her Majesty's orders to pay the said sum, and not being able, with his utmost precaution, then to discover any just cause why it should not be paid, he did afterwards, in obedience to those orders, and according to the duty of his place, countersign a warrant to the Paymaster of her Majesty's Forces for the payment of the same, pursuant to which, he believes, the same was issued and received. And as to that part of the said article which charges the said Earl with

employing his arts or credit to keep the House of Commons from examining that affair, he begs leave to say, that whatever suspicions he might entertain in his own mind, he did not, upon examination, find that there was sufficient proof to justify the laying them before either House of Parliament; and although he hath been informed that the papers relating to that expedition were laid before the last, and have been all along in the power of the present, House of Commons, yet he hath not heard that any fraud hath been made out in that affair, notwithstanding the gentlemen who had them under their inspection neither wanted ability to make the utmost discoveries, nor could be supposed to be prevented therein by any influence of the said Earl; and he hopes it will not be imputed to him as a fault, if he had used any skill or credit to keep the House of Commons from examining this affair at that juncture, when by an unseasonable inquiry, before a proper proof could be had, the fraud (if any such there were) would be likely for ever to escape unpunished. But the said Earl denies that he ever exercised or had any arbitrary power or influence, either in her Majesty's private council or the great council of the nation; or entertained any design to prevent the justice due to the Queen or the nation; or that any discovery had been made to him, further than what might give suspicion to one who was always jealous (as became him) of any misapplication of the public treasure. And the said Earl saith, that he is not conscious that, by any letter or memorial to her Majesty, he hath acted contrary to his duty; but humbly hopes he may be allowed to observe, that it would be a matter of particular hardship, and what seems to him inconsistent with the rules of government, and without precedent, if the most secret and intimate papers and letters, wrote to that most renowned and pious princess her late Majesty, by her own special command, and for her own private perusal, should be imputed to any as a crime: and if any quotation from any such letter or paper could be alleged against the said Earl, he doubts not but there might appear, from other of her Majesty's private

papers, what would justify him in many particulars wherewith he is charged, and would give further proof (if it were needful) how tender and affectionate her Majesty was to all her subjects.

In answer to the second additional Article, the said Earl doth admit, that about October 1711, her late Majesty did sign a warrant directed to him, then her Treasurer of Great Britain, for the issuing and payment of the sum of 13,000*l.* to John Drummond, Esq. in the article named; and that, on or about the 24th of November following, in pursuance of the said warrant under her Majesty's sign manual, he the said Earl did sign a warrant for the payment of the said 13,000*l.*; but, for more certainty, begs leave to refer to the said several warrants, when the same shall be produced. And the said Earl takes the words [" for special services of the war"] to have been inserted by mistake of the clerks, for he absolutely denies that he gave any direction for those words, or any other of like import, to be inserted; and he believes all the clerks of the Treasury know, that the monies which arose from the sale of tin were the Queen's proper money, for the support of her household, and such occasions as she should please to direct, and not appropriated to the service of the war; although sometimes it hath been practised, that loans have been taken upon tin tallies for the services of the war, and other public services, and afterwards repaid to the civil list, which might possibly give occasion for such mistake. And the said Earl saith, that having been acquainted with the services the said Mr. Drummond had performed, by order of the late Earl of Godolphin, in borrowing upon tin at a low interest, the said Earl asked Mr. Drummond's consent, that a sum in tin tallies might be struck in his name; and, with such consent, did direct that orders amounting to the sum of 13,000*l.* should be charged in the register of the Exchequer, on the monies arising by the sale of tin, in the name of the said Mr. Drummond, who afterwards, before his going to Holland, indorsed the said orders at the said Earl's request, and left them in the Treasury; but how

long it was before the said orders were indorsed, or how long they remained afterwards in the Treasury, the said Earl doth not particularly remember; but doth acknowledge, that the said orders and tallies came afterwards to his own hands, and were disposed for his own use. But, in order to lay the true state of this affair before your Lordships, the said Earl humbly represents that, upon his first attending the late Queen, after his being wounded, her Majesty had the goodness to tell him, "That she designed him a sum of money;" upon which he represented to her Majesty the bad condition of her civil list. But several times after, her Majesty asked him, "Why he did not find a way for receiving the money she intended him, and bring the necessary warrants for that purpose?" He still urged the same reason against it; and for near six months made no step in it, till at last her Majesty was pleased to say, "She was resolved to have it done." And as her Majesty had, in matters of her bounty, made use of tin tallies for other persons, she was pleased to mention the same herself, and ordered proper warrants to be prepared for the sum which her Majesty of her royal bounty intended him. That after her Majesty had so positively signified her royal pleasure to bestow such mark of her favour upon the said Earl, the said tallies and orders were struck in Mr. Drummond's name, with her Majesty's knowledge, and at the said Earl's nomination; and from that time the same were kept under the said Earl's direction for his use; and the said Earl was advised, that nothing further was requisite to be done, after the assignment of the said Mr. Drummond, for securing the said Earl's interest in the said tallies, till an accident happened which made it necessary, for further security, to have the said warrant as a declaration of trust; which was accordingly signed by her Majesty, and is to the effect following:—"A. R. Whereas, in the year of our Lord 1711, in consideration of the many good, faithful, and acceptable services, which before that time had been performed unto us, by our right trusty and right well-beloved cousin and coun-

sellor Robert Earl of Oxford (then and now our High Treasurer of Great Britain), which services have tended to the quiet, safety, and prosperity of us and our realms, though the same were accompanied with great difficulties upon himself, and hazards to him and his family; and particularly reflecting upon the impious attempt made upon his life; we did then fully resolve, as a particular mark of our favour, and of our gracious acceptance of the said Earl's services, to bestow upon him a sum in ready money. But the said Earl representing to us, that the arrears then due to our servants and tradesmen, chargeable upon our civil list, were very great and pressing; we did therefore agree and determine, that the said Earl should have to his own use the several sums, amounting to 13,000*l.*, comprised in certain orders of loan, bearing date on or about the 11th day of December 1711, in your name, and charged upon the register in our Exchequer, on the monies arising by sale of our tin; which orders are not yet in course of payment. Now we do hereby declare and make known, that the said several sums, amounting to 13,000*l.*, contained in the said orders, and the interest thereof due and to be due, are and shall be the proper monies of the said Earl of Oxford; and we do hereby direct and authorise you to transfer and assign the said orders and the whole right and benefit thereof to the said Earl and his assigns, or to such person or persons as he shall appoint in that behalf: and in case any the monies due or to be due or payable upon the said orders shall come to your hands, in such case our pleasure is, that you forthwith pay over the same to the said Earl, his executors, administrators, or assigns, to his and their own use and behoof, without any accompt to be thereof rendered to us, our heirs or successors; and this our warrant, or an attested copy thereof, shall be your sufficient warrant and discharge for so doing. Given at our Court at Windsor Castle, the 14th day of December, and the 12th year of our reign, A. D. 1713. To our trusty and well-beloved John Drummond, Esq."—And the said Earl believes

the said warrant was drawn by Mr. Lowndes, Secretary to the Treasury; and by what means the same was omitted to be entered in the Treasury, he knows not; but, upon hearing there was a discourse about that said 13,000*l.* in tin tallies, he sent a copy of the said warrant to the officers of the Treasury, without signifying any desire to have the same entered, well knowing it received its authority from the sign manual, which wanted no additional force from any entry thereof in the Treasury books. And the said Earl saith, that her Majesty was pleased of her mere goodness and bounty, and of her own free will, to give him the said sum of money, in reward of his faithful services, and for his sufferings in her service. And the said Earl saith, that the said grant, according to the discount upon those tallies at that time, amounted to the sum of 10,000*l.* or thereabouts, wherein he acknowledgeth the great bounty of her Majesty, and takes notice, that grants much larger have been made from the crown to other ministers of state, while the necessities of the crown have been equally pressing. And the said Earl doth not know that, in this or any other part of his administration, he ever was guilty of any corruption, or any breach of his oath or trust as High Treasurer of Great Britain; or that he did in any manner abuse her Majesty's goodness, or make an ill use of his access to her Majesty, or embezzle the public treasure; or did at any time knowingly injure or oppress her Majesty's subjects: but, on the contrary, the said Earl saith, that he managed the public money in the most frugal manner, in order to lessen as much as might be the charge of the war, and to ease, if he could, the Commons of Great Britain from all grievous taxes. And, in further vindication of himself against all the imputation of avarice or corruption insinuated in this article, the said Earl saith, that in every employment to which he was called by her Majesty's favour, he was always contented with the accustomed incomes and profits of the said employments, without endeavouring to increase his gain by any unwarrantable or extraordinary perquisites; that whilst he was

in any office of trust about her late Majesty, he never abused that trust, in making any manner of profit or advantage to himself, either by the disposal of places in his own gift, or by the recommendation of persons to her Majesty for such as were granted immediately by herself: that neither in or out of place did he ever receive any pension from the crown; that, as he came with clean hands into her Majesty's service, so went not only with clean, but almost empty hands out of it, having spent therein most part of the profits which accrued to him from the places he enjoyed; so that, at this time, notwithstanding all the advantages he received from them, and the extraordinary bounty of the Queen to him, in this article mentioned, he can with great truth affirm, that his private fortune hath received very inconsiderable addition thereby.

In answer to the third additional Article, the said Earl saith, that Matthew Prior, Esq. being employed by her late Majesty at the Court of France, warrants were signed in the usual form for payment of several sums of money to the said Mr. Prior, which he believes, from the 27th of August 1712, to the 10th of July 1714, might amount to the sum of 12,360*l.* as in the said article is set forth; and he believes he did pay, or cause to be paid, at several times, the said sums, pursuant to the authority he had from her late Majesty for that purpose; which, he conceives, was not only lawful, but a duty incumbent on him. He further saith, that he doth not know that, by any law, there ought to be certain appointments or allowances for the maintenance and support of ambassadors, envoys, plenipotentiaries, and other public ministers of the crown in foreign Courts; but that her Majesty was at liberty to vary such appointments, and the manner of paying them, as she in her wisdom should think fit, out of any funds appropriated to the civil list. He doth believe that there are several instances, where persons employed to negotiate matters of importance, as ambassadors or plenipotentiaries, have been allowed 1,500*l.* for their equipage, 100*l.* a week for their ordinary entertainment, and 1,600*l.* for extra-

ordinaries; and likewise further sums for services performed by special order: and if the said Mr. Prior had been paid upon that foot, he would have been entitled to a greater sum from the crown, for the time wherein he was employed by her Majesty as aforesaid, over and above all disbursements for special services. And the said Earl saith, that he takes the said Matthew Prior to have been sent by her Majesty into France for her Majesty's service, and in order to carry on the negotiations of a general peace; but denies that he was any creature of the said Earl, or sent by the said Earl into France, or that he carried on any negotiations of the said Earl, or that her Majesty was prevailed on by his counsels to send the said Matthew Prior as her plenipotentiary to the French King, without the privity of, or any communication with, the allies; or that the said Earl used the least contrivance for carrying on, or did carry on or promote any dangerous practices with the ministers of France, or the enemies of her Majesty or her kingdoms; or that he did at any time combine with the said Matthew Prior to defraud her Majesty of any sum of money whatsoever, under colour of his employment; or that the said Matthew Prior was sent into France, with the character aforesaid, without any settled appointment or allowance for any such end; or that he the said Earl did give the said Matthew Prior an unlimited credit, or promised to pay him any bills whatsoever, other than what he should be duly authorized to pay; or that any bills of exchange in the said article mentioned were drawn in pursuance of any such contrivance. The said Earl saith, that Thomas Harley, Esq. having been twice sent by her late Majesty to the Court of Hanover, he the said Earl, being then High Treasurer of Great Britain, paid, or caused to be paid, to the said Mr. Harley, the sum of 5,560*l.* or thereabouts, by authority from her Majesty, and according to the duty of his office, out of monies appropriated to the use of the civil list; and he believes that if Mr. Harley had received an allowance in proportion to

what hath been paid to ambassadors, it would have amounted to a greater sum; but denies that the said sum of 5,560*l.* or any part of it was paid without authority, or for promoting any wicked purposes of the said Earl; or that he did either illegally or fraudulently issue or direct, or advise the direction or payment of, any sum or sums of money, out of her Majesty's treasury, to any person whatsoever; or that he ever entered into any combination with the persons above-mentioned, or any other person whatsoever, to defraud her Majesty of any of the public money which he was intrusted with the management of.

In answer to the fourth additional Article, the said Earl denies that he ever held any correspondence with Mary, the late consort of the late King James the Second, either by the means of Mr. Prior, or by any other means whatsoever; or that he ever intended, or had the least design, any way to promote the interest of the Pretender: nor doth the said Earl know or believe, that M. Gaultier, in the said article named, was entrusted or employed as an agent, between any of the ministers of Great Britain and France, in transacting any affairs relating to the Pretender; and denies that he the said Earl had any conferences with him the said M. Gaultier on that subject; nor doth the said Earl know, or believe, that the said M. Gaultier was empowered to concert with him the said Earl particularly the settling any payment or remittance of the annuities hereafter mentioned, or any other yearly sum to be paid or remitted out of her Majesty's Treasury into France: neither had the said Earl the least design that any of the fruits or advantages of the peace should be made an offering to any adherent of the Pretender; nor did he agree or undertake to procure the payment of the yearly sum of 47,000*l.* or any other yearly sum, to the use of the said late consort during her life. But the said Earl doth admit, that the late King James the Second, by letters patents, under the great seal of England, bearing date on or about the 28th day of August in the year 1685, granted unto

Lawrence Earl of Rochester, Henry Earl of Peterborough, Sidney Lord Godolphin, Robert Warden, Esquire, and Sir Edward Herbert, Knight, (who are all since deceased,) divers annuities, or yearly sums of money, amounting to 37,328*l.* 13*s.* 7*d.*, payable out of the hereditary duty of excise and the post-office, and other revenues in the said letters patents mentioned, to hold, to them and their heirs, during the life of the said consort, in trust for her; and, by other letters patents, bearing date on or about the third day of December in the year 1686, also granted unto the said consort a further pension, or yearly sum, of 10,000*l.*, to hold during her natural life; whereby the said revenues arising from the hereditary excise and post-office, and other the revenues in the said letters patents mentioned, became charged with, and were liable to, the said annuities, or yearly sums, as in this article is mentioned: and the said Earl doth admit, that the said revenues were, by several acts of parliament, granted and settled during the life of his late Majesty King William the Third, for the use and service of his household and family, and for other his necessary expenses and occasions; and after his demise, during the life of her late Majesty Queen Anne, were appointed to be for the support of her household, and of the honour and dignity of the crown: but saith, that, in the same act of parliament whereby the said revenues are so appointed, there is a general saving to all and every person and persons, of all such rights, titles, estates, interests, claims, and demands whatsoever, of, in, or to, or out of the said revenues and hereditaments, or any of them, as they or any of them had, before the making the said act, as fully to all intents and purposes as if the said act had never been made. And the said Earl doth admit, that an act of parliament was made in the 12th year of her late Majesty's reign, whereby the sum of 500,000*l.*, for the causes therein mentioned, was to be applied (in aid of the revenues or branches which were appointed for the support of her Majesty's household, and of the honour and dignity of the crown) for or towards the

paying or discharging such arrears of salaries, wages, diet money, and other allowances, and such debts for emptions, provisions, and other causes, as should appear to be due and owing to her Majesty's servants, tradesmen, and others. But the said Earl saith, he hath heard that the said late consort of the late King James the Second, esteeming herself to be entitled, by the laws of England, by virtue of the said letters patents, to the several sums of money therein mentioned, did, by letters of attorney, empower and authorise the said M. Gaultier to demand and receive for her only use, benefit, and behoof, all sums of money which, from and after the feast of the Annunciation of the blessed Virgin Mary, 1713, were become due and payable upon the said several annuities, amounting to 37,328*l.* 13*s.* 7*d.*; and the other annuity, or yearly sum of 10,000*l.*; and to give acquittances and discharges for the money he should so receive to her only use and behoof as aforesaid; and that thereupon he the said M. Gaultier applied himself to her Majesty, for the payment of the monies which were incurred or grown due on the said several annuities, from the said 25th day of March 1713; and that her Majesty was pleased to sign a warrant directed to him the said Earl, being then her Majesty's High Treasurer, or to the High Treasurer or Commissioners of the Treasury for the time being, in the words, or to the effects, in the said article set forth; but, for more certainty, refers himself to the said warrant, when the same shall be produced: and that, in obedience to her Majesty's commands signified by the said warrant, he the said Earl did direct two several warrants to the auditor of the receipt of the Exchequer to the effect in the said article set forth; but, for more certainty, refers to the said several warrants, when the same shall be produced. But he denies he advised her Majesty to sign the said warrant of the 23rd of December 1713. But when such warrant was brought to him, and he knew that the jointure of the said consort had been confirmed by act of parliament, and had heard that by some private article or agreement, at the

treaty at Ryswick, provision had been made in relation to it, and the legality of the demand not being doubted by her Majesty's counsel learned in the law, the said Earl thought it his duty to pay obedience to it, and the sum of 500,000*l.*, intended to be raised by the said act of the 12th year of her Majesty's reign, together with a great additional sum in tallies, being designed for discharge of her Majesty's debts, the said Earl thought himself sufficiently authorised to direct, that the said sum of money mentioned in the said warrants, which he was advised was a debt from her Majesty, should be paid out of the said 500,000*l.*; yet the sum in the said warrants mentioned, or any part thereof, was not paid out of the said appropriated sum of 500,000*l.* or otherwise; but the whole sum of 500,000*l.* was applied to other uses, for which it was appropriated. And the said Earl humbly hopes, that he hath not hereby betrayed the honour of her late Majesty, or the imperial crown of these realms, or acted contrary to his duty. And the said Earl doth acknowledge, that the said M. Gaultier coming into England with letters of credence from the French King to her late Majesty, after having resided some time in England, her Majesty was pleased, before his departure hence, to direct a present should be made to the said M. Gaultier, as hath been usual in like cases to public ministers; and he believes her said Majesty was the rather inclined to make such present to the said M. Gaultier, because the said Earl hath heard and takes it to be true, that the said Gaultier had been instrumental with the French King to obtain the delivery and release of those poor Protestants who had suffered on board the gallies on account of their religion; whose rescue from slavery her Majesty, out of her known zeal to the Protestant religion, and out of her wonted piety and compassion to the confessors in so good a cause, had much at heart, and had prevailed therein beyond expectation; it being what by his Majesty King William had been attempted in vain, and was thought by many impossible ever to be obtained: and the good offices of the said Gaultier in that affair having been very acceptable

to her Majesty, she was pleased to increase his present in respect thereof, and therefore ordered it to be paid in the same manner as had been done to others whose presents her Majesty thought fit to augment: and for this end, her Majesty, about the time in this article mentioned, did sign a warrant, directing the payment of 1,000*l.* sterling to Daniel Arthur, Esq. in the same article mentioned, to the intent it might be paid to the said M. Gaultier, on the account aforesaid; and the said Earl believes the said monies were issued and paid accordingly, and doth not apprehend he hath therein acted contrary to his duty.

In answer to the fifth additional Article, the said Earl doth admit, the sovereign of this realm may refuse to receive any natural-born subject who hath committed and is under the guilt of high treason, as a public minister, or with any character from any foreign prince, state, or potentate; and that where such person is known to be guilty of such crime, it may in most cases be fit so to do: but the said Earl apprehends that the sovereign is the proper judge whom to refuse or receive with such character. The said Earl believes, that a person styling himself, or commonly known by the name of Lilcot or Lawless, did, about the year 1712 or 1713, come into England, with letters of credence to her Majesty, from the King and the late Queen of Spain, and authority to treat about carrying British merchandises to the Spanish West Indies; and that her Majesty was pleased to admit such person with such letters of credence; and before his return to Spain was pleased to order, for the use of such person, the sum of 1,000*l.*, to be paid out of the monies appropriated to the civil list; which the said Earl, in obedience to such orders, caused to be paid, and humbly apprehends that it was his duty so to do. But the said Earl believes that, when the said Lilcot or Lawless was so admitted, he was generally thought to be a natural Spaniard; and that, from the advantages of those licenses which he brought for carrying the British merchandises to the West Indies, he expected a much larger present: however, the said Earl denies that he knew, or was

informed, before the arrival of the said Lawless in England, anything of his coming hither; nor, after his arrival, did he see him, or know of his being here, before he had been introduced to her Majesty, it being usual for public ministers to be introduced by those servants of her Majesty to whose office it belongs, as matter of duty and common despatch, without consulting therein other ministers of state; and, upon the notice taken of this affair formerly in the House of Peers, it appeared, that the Noble Lord who introduced the said Lawless to the Queen, by virtue of his office, did it as of course, and did not then know he was other than a native of Spain. And the said Earl saith, that of a long time after he had been so introduced, the said Earl neither knew or heard that he was other than a natural Spaniard; but when the said person had continued in England a considerable time, there was a rumour, and the said Earl was afterwards informed, he was a native of Ireland, and departed out of that kingdom in his youth, and had since been in the Spanish service; but doth not know, nor was informed, that he had committed or been guilty of high treason, or that he had served the late King James the Second, in the war in Ireland, against King William the Third, or had followed the said King James the Second into France, or been in his interest or service, or had been in rebellion against King William, or in arms against the late Queen. And the said Earl, having no notice of the said person's arrival before his being admitted to her Majesty, nor any knowledge of any crime he was guilty of, submits, whether it shall be imputed to him as any want of duty, that he did not advise her Majesty against admitting or receiving him in the character aforesaid; or that he did, by her Majesty's authority, meet, confer, or negotiate with him, concerning any affairs about which he was authorised to treat (in case he had so done, which, however, the said Earl doth not admit); or that, by authority from her Majesty, he paid the said sum of 1,000*l.* to the said Daniel Arthur, which after came to his use: but the said Earl doth deny that he advised her

Majesty to sign the warrant for payment of the said 1,000*l.*, or gave any directions for payment thereof, contrary to what was intended by her Majesty. And the said Earl admits, that some other sums of money, which might amount in the whole to 915*l.* or thereabouts, were paid, in satisfaction of monies advanced to the said Lawless, as part of the monies agreed to be advanced to his Catholic Majesty by the Assiento contract: but denies that he directed the payment of any other monies whatsoever, out of her Majesty's Treasury, to the said Lilesh, alias Lawless; or knows that any other monies were paid to him, beside the aforementioned sum of 1,000*l.*, and the monies paid in satisfation of what was advanced to him towards the part due to his Catholic Majesty by the said Assiento contract. And the said Earl never assumed the supreme direction in her Majesty's Councils; neither was he advising that the said person should be introduced to her Majesty, or should be received or treated by her ministers, under the disguised name of Don Carlo Moro, or should at all be received as a public minister here. And the said Earl doth acknowledge, that the House of Lords, with commendable zeal, made such address and came to such resolution, and that her Majesty made such answer and issued such proclamation, as in the said article is mentioned. And as the said Earl had always the highest regard to the safety of her Majesty's person, the security of the Protestant succession, and advice and resolutions of the House of Peers; so he denieth that he had the least knowledge that the said Lelish, alias Lawless, had ever been minister or agent of the Pretender at the Court of Madrid, or the least suspicion that he was sent into England to promote the interest of the Pretender in these kingdoms. Nor is he conscious to himself that he has done anything to expose the person of her most sacred Majesty, to enervate or render ineffectual the advice of Parliament or her Majesty's declarations, to countenance any emissary of the Pretender, or encourage his adherents, to the danger of the Protestant succession, as by law established, in the serene House of Hanover: but, on the

contrary, is persuaded his conduct in that affair is so well known as not to need any further justification. But, if it should at any time be thought necessary, he is able to produce those proofs of it which are the best authority in the world for his vindication.

In answer to the sixth additional Article, the said Earl hath been informed, and doth believe it may be true, that after unsuccessful attempts by her late Majesty, in conjunction with her allies, to establish his present Imperial Majesty upon the throne of Spain, instructions in writing were given to Mitford Crow, Esq., about the 7th of March 1705; taking notice, "Her Majesty had been informed, that the people of Catalonia were inclined to cast off the yoke imposed on them by the French, and to return to the obedience of the House of Austria; and that her Majesty, desiring to maintain and improve that good disposition in them, and to induce them to put the same speedily in execution, had made choice of him to carry on so great a work for the advantage of her service, and the good of the common cause, as was the making a treaty with the Catalans, or any other people of Spain, for the purposes aforesaid; and that the said Mitford Crow was thereby empowered to give the Catalans or other Spaniards assurances of her Majesty's utmost endeavours to procure the establishment of all such rights and immunities as they had formerly enjoyed under the House of Austria, and the confirmation of such titles as had been conferred on any of them by the Duke of Anjou; and that, for their further satisfaction, her Majesty had sent to King Charles the Third, for powers for confirming the same to them, and was willing, if they insisted on it, to become guarantee that it should be done." And the said Earl hath been likewise informed, that her Majesty, in a commission granted to the said Mitford Crow, expressed, "That she thought fit to enter into a treaty with the principality of Catalonia, or any other province of Spain, on condition they would acknowledge and receive Charles the Third as lawful King of Spain, and utterly abdicate the House

of Bourbon, and join their forces with her Majesty's;" and that her Majesty was pleased also to sign and deliver to the said Mitford Crow credential letters, directed to the nobility, magistracy, and other officers of Catalonia, or any other province of Spain, desiring them to give faith to everything the said Mitford Crow should tell them in her Majesty's name : and that instructions were likewise given to the Earl of Peterborough and Sir Cloudesly Shovell, about the time and to the effect in the said article mentioned ; and that a manifesto, or declaration, was afterwards published by the said Earl of Peterborough, to the effect in the said article set forth. But the said Earl denies that such manifesto or declaration was prepared by his advice or privity ; and the said Earl believes it may be true, that some part of the nobility, clergy, and inhabitants of the principality of Catalonia, and also of the inhabitants of the island of Majorca, did afterwards acknowledge King Charles the Third, now Emperor, for their lawful sovereign, and did join their arms with those of her Majesty and her allies against the present King of Spain ; but by what motive they were induced thereunto, the said Earl doth not know. And the said Earl doth acknowledge, that, for some time, the arms of her Majesty and her allies, in Spain, were attended with considerable success, in which the bravery of the Catalans appeared, and the forces of the confederates twice entered the capital city of that kingdom; by which signal conquests, and the great supplies that have been granted by Parliament for their assistance, the said people were under the highest obligations of gratitude to her Majesty. But the advantages those successes had given King Charles the Third being lost, her Majesty found the burthen of that war very heavy to her subjects, the conquest of Spain for the present Emperor impracticable, and after the succession of the Empire, and descent of the hereditary countries to him, esteemed inconsistent with the interests of many of her allies, and therefore thought it necessary, for the good of her people and the tranquillity of Europe, to enter into negotiations for a

general peace: but the said Earl denies that he entered into any conspiracy for subjecting the Spanish monarchy to the House of Bourbon, or ever had the least design of the ruin or destruction of any of the rights, liberties, or privileges of the Catalans; or that he ever formed any contrivance for abandoning them to the fury or revenge of the Duke of Anjou or his adherents, or for the extirpation of any of their rights, liberties, or privileges; or that he advised her Majesty to give directions to the Lord Lexington to acknowledge the Duke of Anjou King of Spain, before any negotiation of peace was set on foot, in due form of law, between the crowns of Great Britain and Spain: on the contrary, the said Earl saith, that, by letters and papers sent by one of her Majesty's principal Secretaries of State to the Lord Lexington, it will appear, that, after her Majesty had hearkened to the proposals for a general peace, for the good of her own people and her allies, she used her best endeavours for obtaining the liberties of the Catalans at the conclusion of the peace; and that his Lordship was directed peremptorily and absolutely to insist thereon: nor doth the said Earl know or believe, that any orders were ever sent from, or given by, her Majesty to any of her ministers, to recede from that demand, or that the said Lord Lexington ever desisted from making the utmost efforts he could for obtaining it; and if, from any measures of the Catalans, or of his Imperial Majesty, or from any other cause, her Majesty's endeavours had not their full effect, the said Earl conceives it cannot be imputed to any neglect of her Majesty, or any want of duty in him the said Earl. He believes that, about the time in the said article mentioned, his Imperial Majesty did enter into a convention or agreement for evacuating Catalonia; and that her Majesty, out of inclination to perform her best offices to the Emperor, was prevailed on to become one of the guarantees thereof: but denies that his Imperial Majesty was necessitated, by any practices of the said Earl, to make such convention; and is ignorant for what causes his Imperial Majesty, whom it

most concerned, omitted in such convention to make express and positive stipulation for the liberties of the Catalans, if it proceeded from any dependance upon the declaration of her Majesty to interpose her best offices on their behalf, and the promises of the French King to join his endeavours therein. He is confident it will appear her Majesty's best offices were employed in that affair, when it is considered what repeated instances she made by her ministers, and in the most pathetic manner, to obtain for them the privileges they desired; and that her Majesty, by her earnest interposition, did obtain a grant and confirmation to all the inhabitants of Catalonia, of a perpetual amnesty and oblivion of all that was done in the late war, the full possession of all their estates and honours, and a further grant of all their privileges, which the inhabitants of both Castiles (who of all the Spaniards were most dear to the king of Spain) enjoyed, or might at any time after have or enjoy; whereby the Catalans, if they obtained not all the ancient privileges they pretended to, received, however, in compensation thereof, the advantage of trading directly to the West Indies, and other privileges to which they were never before entitled: and the House of Peers, upon consideration of several papers laid before them relating to this affair, in pursuance of their address to her Majesty in that behalf, expressed their utmost thankfulness and satisfaction, for her Majesty's repeated and earnest endeavours for preserving to the Catalans the full enjoyment of all their just and ancient liberties; and it is probable her Majesty had prevailed to obtain for them the ancient privileges and liberties in the largest extent, if they had waited the event of her gracious interpositions in their favour, and not determined to carry on the war by themselves against King Philip, after the Emperor had signed the convention for evacuating their country, which incensed the King of Spain in the highest degree, and was looked upon by him as the most obstinate rebellion. However, the said Earl saith, he never amused the Catalans with any expectations whatsoever,

nor in any degree contributed to engage them in any obstinate defence against the Duke of Anjou; nor advised her Majesty to conclude a peace with Spain, without security for the ancient rights, liberties, and privileges of that people; or to send Sir James Wishart with a squadron of men-of-war for the purposes in the said article mentioned: but believes her Majesty might think herself obliged, by being guarantee to the said convention for the evacuating of Catalonia, to send the said Sir James Wishart into the Mediterranean with a squadron of men-of-war, although he knows not the orders or instructions given on that occasion; and humbly apprehends, that he cannot in justice be charged with any consequences from that unhappy people's refusal to comply in their submission to the King of Spain, upon the terms her Majesty hath stipulated for them.

Thus the said Earl has laid his case before your Lordships, wherein he hopes he hath fully answered the several articles exhibited against him. Yet, lest there should be any omission in his answer, which may be made use of to his prejudice, he says, he is not guilty of all or any the matters contained in the said articles, or any of them, in manner and form as they are therein charged against him; and humbly hopes that your Lordships will excuse any imperfections or defects in the said answer with regard to expression or form, and impute whatever of that kind may appear to the great weakness of body and ill state of health which the said Earl now labours, and hath for some months past laboured under; and that your Lordships will be induced to make all further due allowances in his favour, from the following considerations, which relate to the nature of the charge in general, and the difficulties with which his defence of himself against the particulars contained in that charge is, and must be, attended. Most of the articles with which he stands charged relate entirely to the negotiations of the peace lately concluded at Utrecht. He doubts not but your Lordships will consider that he must of necessity be under great difficulties in giving a full and particular account

of such a great variety of facts as are contained in these articles; that several of these facts concern transactions with the ministers of foreign states, who cannot be produced as witnesses in his defence, be their testimony never so material; that many steps and proceedings in an affair of this nature, where the interest of several parties, not only separate from, but some of them also contrary to each other, are to be adjusted, do require great secrecy and address in the management; and that in treaties between enemies, such terms are often proposed, and such arguments used, as carry a different appearance from the real intentions of those that treat: upon which accounts it must be very difficult to set everything that passed in the late negotiations, with regard to the enemy and to the allies, in a clear light, and to justify every step that was taken towards conducting them to the end proposed, especially since the account of those transactions, and of the reasons on which they were founded, cannot, as he conceives, be duly cleared, by inspecting the entire series of letters and papers which passed during the continuance of those transactions, and by comparing together such passages in them as might give light to each other, and to the whole: all which letters and papers are (as he is informed) now in the possession of the honourable House of Commons; nor was it thought fit, upon his humble application to your Lordships, that he should be indulged with a copy of any of them. He hopes it may not misbecome him on this occasion to observe to your Lordships, that the House of Commons, by being possessed of those papers, have a fuller view of the whole progress, and of all the secret steps of that negotiation, than perhaps was ever in the like case imparted to any house of parliament, and they have, therefore, all the advantage possible towards forming the charge against him upon the articles of his impeachment: whereas he the said Earl, being destitute of all assistance from those papers, is under great and particular disadvantages towards making his defence in the points whereof he there stands accused, and he is therefore humbly assured, that

as your Lordships, on the one side, will not expect from him any such proofs of his innocence as can only be drawn from a perusal of those papers, so, on the other, you will not admit of all or any of those articles as made good against him, unless the accusations therein contained be supported by the clearest and most unquestionable evidence of which the nature of the facts is capable. He submits it likewise to your Lordships' consideration, whether, in a negotiation drawn out into a great length, where the advice of all those in high trust about her Majesty was to be taken, and where several persons were to be intrusted with the management of what was agreed upon, he can with any colour of equity be made answerable for advising and conducting the whole. He desires also further to observe, that everything with which he is charged was done in the reign of a gracious princess now deceased, who, by reason of the perfect knowledge she had of the ill state of affairs at home, of the advances made towards peace from abroad, and of the commands which she at several times laid on her servants, had been the best, and indeed could be the only competent judge, whether she was fraudulently dealt with, led by ill advice into measures which she did not direct and approve, or made an instrument of sacrificing the interest of her kingdoms to the enemy. It is with great grief that he finds such things suggested, as seem to lay a stain upon the character of so excellent a queen, whose memory, he is confident, will be for ever dear to this country; and therefore he takes leave in the most solemn manner to assure your Lordships, that as far as he knows, or can remember, everything relating to the transactions of peace was communicated to her late Majesty and maturely considered by her before anything was determined thereupon; nor was any step taken but in pursuance of such determination. As to the peace in general, he the said Earl thinks he has very good reason to say, that the Queen had nothing more at heart than to procure so great a blessing for her people; and that when it was obtained, she had this satisfaction in herself, that she had taken the most

proper measures to justify her conduct, both towards her allies and towards her own subjects; for upon a review of her Majesty's whole proceeding in relation to war and peace, he believes it will appear, and hath in part appeared by the answer of the said Earl to the said articles, that as her Majesty entered further into the war than she was obliged by any treaties subsisting at the time of her accession to the throne, so she contributed more men and money towards the carrying it on afterwards than she was engaged to provide by any subsequent treaties;—that, her earnest desires of peace being twice frustrated, when such conditions might have been obtained as would have fully answered all the ends for which war was at first declared; that all our successes and victories ending in the annual increase of the charge of England, without any further assistance from our allies; and her kingdoms being exhausted to such a degree (notwithstanding the great advantages obtained by her arms) that she was not able to continue the war, upon the foot it then stood, one year longer; whilst her allies refused to continue it upon those equal conditions to which they were by treaties obliged; she was at last constrained, in compassion to her people, to hearken to the overtures of peace then made her from France, without relying further on the vain hopes of gaining more advantageous terms by protracting the war a year longer: she had carried it on for some time under that prospect, without reaping the benefits proposed, even at junctures that seemed most favourable to her demands, and to the pretensions of her allies: she had indeed by that means raised the glory of her arms; but she could not think this a sufficient recompense for the increasing miseries of her people, and therefore resolved to lay hold of the opportunity then offered to her, of ending the war by a peace, if it might be obtained upon terms every way just, safe, and honourable; and those who were then employed in her Majesty's Councils thought themselves obliged to second her good intentions in this case, and to obey her commands with all readiness. The said Earl presumes on this occasion to men-

tion to your Lordships the saying of as wise a man and as great a general as the last age produced, the Duke of Parma: when France was in a far lower condition than now, being almost equally divided between two contending parties, and Spain was at the height of its glory, and he himself at the head of a Spanish army supporting one of those parties, after Paris itself had been besieged by the other, it was his opinion (and the advice he gave to his master the King of Spain was grounded upon it), "That if France were to be got only by reducing its towns, the world would be sooner at an end than such a war." The Queen seemed at this time, with better reason, to frame the like judgment; and it was therefore her pleasure, and a great instance (as the said Earl conceives) of her wisdom and goodness, to think of securing a peace, while she appeared able to carry on the war, her armies being full and numerous, and before the exhausted condition of her kingdoms, and the impossibility on her side of maintaining so disproportionate an expense, was discovered by her enemies. At this juncture the Queen entered upon a negotiation of peace, with circumstances of great honour to herself: France applying to her first on this account, previously owning her title, and acknowledging the right of the Protestant succession, two chief grounds upon which the declaration of the last war was built. As to the allies, it was conducted in the same manner as all treaties of peace in confederacies have ever been, and according to the known laws of nations in such cases; the first motion, and the several steps of it, as fast as they ripened into proposals fit for consideration, being without delay communicated to the States General. By the terms of this peace, as all reasonable satisfaction and security due to any of the allies by treaty were obtained for them by the Queen, and their just pretensions effectually supported, so larger advantages were actually procured, for Great Britain in particular, than ever had been demanded before in any treaty or negotiation between this and any other foreign state. The said Earl craves leave on this occasion to appeal to your Lordships, whether all the

ends for which the war was entered into have not, by this treaty, been fully attained? Whether it does not appear, by the best of proofs, experience, that the kingdoms of France and Spain are, by the conventions of this treaty, most effectually separated; and whether any other expedient could have been so successful to this purpose, as that whereby it is now happily brought about? Whether the balance of power in Europe be not now upon a better foot than it has been for an hundred years past? Whether the advantages that have accrued to Great Britain by this treaty do not appear, and have not appeared, in the security of the Protestant succession, and in his Majesty's peaceable accession to the throne with the universal applause of his subjects?—in the additions made to our wealth, by the great quantities of bullion lately coined at the Mint, by the vast increase of shipping employed since the peace in the fishery and in merchandise, and by the remarkable rise of the customs upon import, and of our manufacture and the growth of our country upon export? for the proof of which particulars he refers himself to those officers and books wherein an authentic account of them is contained. And as the terms of the peace were, in these and other respects, manifestly profitable to Great Britain; so the said Earl begs leave humbly to remind your Lordships, that they were communicated to the Parliament, and with their concurrence agreed on; that the peace thus concluded was afterwards highly approved by both Houses; that solemn thanks was rendered to God for it in all our churches, as well as in the churches of the United Provinces; and that her Majesty received on this subject the hearty and unfeigned congratulations of her people from all parts of her dominions. These being the real effects, and this a true representation, of her Majesty's conduct in the affairs both of war and peace, the said Earl sees not how he or any others then in her Majesty's service can be justly charged with betraying the interest of their own country, and of the allies, by negotiating and promoting that peace, which then was, and (as he hath good grounds to believe) still

continues to be, very acceptable and advantageous to these kingdoms; and if the peace itself be not condemned, and if it be not even charged upon the said Earl as a crime, that he advised her Majesty to conclude that peace—neither of which appear to him from the articles—he humbly conceives it is a particular and extraordinary hardship upon him, that rough draughts and essays towards a peace, with other preliminary steps in a negotiation, all leading to an end which he looks upon to be just and profitable, and which is not in any of the articles alleged to be otherwise, should be branched into so many distinct heads of accusation against him; for, supposing that in the process of so nice and difficult an affair, subject to divers unforeseen obstructions and events, any improper steps had been taken (which the said Earl doth not admit, but altogether on his part denies), yet, if things were at last conducted to a right issue, and ended in an honourable and advantageous peace, there can be (as he conceives) no just ground to find fault with the measures made use of to compass it, because they seemed before the accomplishment to have a different tendency; especially if it be considered that scarce any peace hath been made by a confederacy, where less occasion was administered for jealousy among the several parties, and less reason given to complain that every nicety required by the letter of such an alliance was not strictly observed: and therefore he humbly hopes, that no steps taken for obtaining a peace approved by the wisdom of former Parliaments shall by any succeeding Parliament be accounted criminal, unless it can be made appear that those steps were taken contrary to the Queen's orders, or upon corrupt views of private advantage: but that no charge of this nature can be made good against him, he presumes to affirm with great assurance; nor does he know of any other persons justly chargeable upon either of these accounts. And, as a further proof that those who had the honour to serve her Majesty in the negotiations of peace acted with upright views and intentions, and without being conscious to themselves of any failure in

their duty either to their Queen or their country, the said Earl craves leave to observe to your Lordships, that they never attempted to cover their actions from public censure by any pardon or indemnity, though they had very good reason to believe that, had they judged or imagined themselves to have wanted such security, it might, through the goodness of the Queen, have easily been obtained; nor can he think it an observation unfit to be made, that, in few of the articles which concern the negotiations of peace, the charge is founded on any breach of the laws of Great Britain; but it is in most of them built chiefly on the supposed infraction of certain treaties and alliances with foreign princes and states; and he conceives, that such infractions of public treaties, where they do not particularly affect the interests of Great Britain, being cognizable by the laws of nations only, and not by those of the realm, are not wont to be examined into here at home, and prosecuted as criminal; but upon the complaint of some prince or state, pretending by that means to be injured, and lodging such complaint in some reasonable time with the prince, by the advice of whose ministers and servants such injury is supposed to have been done: but he knows not that any such steps have been taken since the peace, by any of the powers concerned; on the contrary, he believes, that all the allies, except the Emperor and Empire, made their peace with the enemy at the same time the Queen did; and that none of them did afterwards complain to her Majesty (who survived the said peace a year and almost four months) of any hardships imposed upon them in it: that the Princes of the Empire, who contributed very little to the war, might have concluded their peace upon reasonable terms, at the same time the other allies did; and would probably have done it, if the Emperor, on his part, had been willing to sign together with them; which, he is informed, at the conclusion of any general peace has been seldom done; and particularly, at the several conclusions of the peace of Munster, that of Nimeghen, and that of Reswick, was not practised. And he sub-

mits it to your Lordships' consideration, whether the Emperor, having had all reasonable and equitable satisfaction made him for his pretensions to the succession of the Spanish monarchy, according to the terms of the grand alliance, could have any just reason to complain of the Queen's ministers, or those of her allies, for concluding a peace without insisting on his account upon impossible conditions; especially when no provision was made, or offered to be made, to reimburse to her Majesty any part of those vast sums she had already expended in support of his pretensions, whilst he failed of supplying his quota almost in every part of the war, notwithstanding his new and great acquisitions: but whether the Emperor, or any other of the allies, had any just ground of complaint or not, still the said Earl presumes to insist, that it ought to have been signified to the Queen, who upon such complaint, had she found any of her servants justly blameable, as disobeying her orders, or misleading her by their advice into unjustifiable and dishonourable measures, might have punished them forthwith as their offences deserved: but, nothing of this kind having been done, he humbly leaves it to be considered by your Lordships, whether the silence of the powers concerned doth not carry in it a strong presumption, either that they had no real and just ground of complaint in relation to the terms of the peace itself, or at least did not look upon the ministers of the Queen as any ways liable to blame on that account; and therefore he must again beg leave to express to your Lordships his concern that he should be charged as a criminal by the laws of this land, for supposed breaches of treaties with foreign states, which never were complained of as such by those states themselves during the life of her Majesty. He desires further to observe to your Lordships, that wherever he is charged with carrying on a private and separate negotiation, it is all along understood with regard only to the States of the United Provinces, no step that was communicated to them being censured upon this account; whereas all the other allies had, by virtue of their treaties with

the Queen, a like right to a communication of counsels, and her Majesty was under no stipulations to act more in concert with any one, than with all of them. He doth indeed allow it to have been most agreeable to reason, and to the interests of state, that the Queen should act in a closer conjunction with Holland than with any other of her allies, because that, next to Great Britain, Holland bore the greatest share in the charge of the war; but then he hopes it will be allowed also, that the States being more interested in the success of the war than England, and that England having submitted to a greater share of the burthen, in order to procure, not only a fitting security for the States, but such as brought great advantages to them, though no benefit to England, it was very reasonable for the Queen to take care of the interest of her own kingdoms some other way; and, since the advantages she demanded from the enemy were such as she might obtain without prejudice to the States, it was as lawful for her to negotiate this matter, without communicating it originally, and in the first rise of it, to them, as it was for her and the States to concert their mutual interests together, without the immediate and express participation of the other allies, which being known to be done without a design to defeat any of the main ends of the alliance, was never complained of by any of the confederates: and as for the matters concerted previously with France, for the particular interest of England, without the original intervention of Holland, the States were so far from protesting against her Majesty's measures, and condemning her conduct in this respect, that their minister proffered several times, in their name, to have led the way in the most difficult part of the whole negotiation, and to have done his utmost to facilitate the conclusion of it, provided his masters might have a share in the Assiento contract, and trade to the Spanish West Indies; one of those advantages which France had discovered its willingness should be allowed previously and entirely to England.

These few general observations the said Earl has thought

fit to add in the close of his answer to the several articles of his impeachment, not only in his own necessary vindication, but also in defence of her late Majesty's conduct in the negotiating and concluding a peace, the perfecting of which she esteemed the greatest happiness of her reign.

Upon the review of the two-and-twenty articles with which he is charged, as he is not conscious of any offence committed by him with respect to any one of them, so it is with a particular concern and surprise that he reflects on those two wherein he is accused of high treason, for endeavouring to procure Tournay to France, and so deprive the States of that intended part of their barrier; and for procuring Spain and the West Indies to the Duke of Anjou, upon his renunciation of the crown of France. Referring himself to what he has said in his answer to both these articles, he here further assures your Lordships, (and thinks it sufficiently known both at home and abroad,) that his opinion and endeavour, as occasion offered, always were for Tournay's remaining (as it now does) to the States General; and as to the latter, he doubts not but that what has lately happened in France is a convincing proof to your Lordships, and to all the world, that the renunciation was the best expedient that could have been proposed towards hindering the two kingdoms from being united under one and the same monarch; that that branch of the treaty which relates to this expedient has fully answered its end, and made good the character given of it by the Queen, "that it would execute itself;" and therefore, that whoever advised this method of separating the two crowns, was so far from being guilty of any traitorous design, that he eminently promoted the welfare of Great Britain and the good of Christendom.

The said Earl, with all the assurances of an innocent man, begs leave to repeat, that, as well in this, as in all other affairs of state, in which he had the honour to be employed by her late Majesty, he ever acted according to the best of his skill and judgment, with sincere desires and intentions to serve the

public, and without any view to his own private advantage. As he was in several great stations under her Majesty, he came into all of them by her own special command, without his seeking or desiring them; and he served her in all with the utmost respect, zeal, and faithfulness; and while he continued in those stations, for many years, it was with great wonder and pleasure that he observed how her Majesty's whole thoughts, endeavours, and time were divided between her duty to God and her love to her people, whose good and security she preferred always to her own ease, and often hazarded her health and life itself to procure it: he knew that the most effectual way for any one to recommend himself to her good opinion was to act upon the same principles of justice and love to his country that she did; and as she abhorred the thoughts of any thing burthensome or injurious to her people, so she often expressed herself with the greatest satisfaction and delight, when she reflected on the advantages obtained by her for her own subjects, and the quiet and repose she had gained for Europe, by that just and honourable peace, for which, as the present age doth, so generations to come will, bless the memory of that excellent and renowned Queen.

OXFORD."

No. IV.

Inscription written by Bolingbroke, and placed at the source of the River Loiret, in the woods of his Chateau.

Propter fidem adversus Reginam
et partes
intemeratè servatam,
propter operam in pace generali
conciliandâ
strenuè saltem navatam,
Impotentiâ vesanæ factionis
solum vertere co-actus,
hic ad aquæ lene caput,
sacræ
injusté exulat,
dulcè vivit,
H. M. B. 1722.

No. V.

Inscription placed by Bolingbroke over the door of his Chateau de la Source, near Orleans.

Si resipiscat patria, in patriam
rediturus;
Si non resipiscat, ubivis melius
quam inter tales cives futurus,
hanc villam instauro et exorno.
Hìc, velut ex portu, alienos
Casus et fortunæ ludum
insolentem
cernere, suave est.
Hìc, mortem nec appetens, nec timens,
innocuis deliciis,
doctâ quiete,
et felicis animi immotâ tranquillitate,
fruiscor.
Hìc mihi vivam, quod superest, aut
exilii, aut ævi. 1722.

No. VI.

The last Will and Testament of the late Right Honourable Henry St. John Lord Viscount Bolingbroke.

In the name of God, whom I humbly adore, to whom I offer up perpetual thanksgiving, and to the order of whose providence I am cheerfully resigned. This is the last Will and Testament of me, Henry St. John, in the Reign of Queen Anne, and by her grace and favour Viscount Bolingbroke, after more than thirty years' proscription, and after the immense losses I have sustained by unexpected events in the course of it, by the injustice and treachery of persons nearest to me, by the negligence of friends, and by the infidelity of servants, as my fortune is so reduced at this time that it is impossible for me to make such disposition and to give such ample legacies as I always intended, I content therefore to give as follows:

My debt and the expenses of my burial in a decent and private manner at Battersea, in the vault where my last wife lies, being first paid, I give to William Chetwynd of Stafford, Esq. and Joseph Taylor of the Inner Temple, London, Esq. my two assured friends, each of them one hundred guineas, to be laid out by them, as to each of them shall seem best, in some memorial as the legacy of their departed friend; and I constitute them executors of this my will. The diamond ring which I wear upon my finger, I give to my old and long approved friend the

Marquis of Matignon, and after his decease, to his son the Count de Gace, that I may be kept in the remembrance of a family whom I love and honor above all others.

Item. I give to my said executors the sum of four hundred pounds in trust, to place out the same in some public funds or government securities, or any other securities as they shall think proper, and to pay the interest or income thereof to Frances Arboneau, my valet-de-chambre, and Ann his wife, and the survivor of them, and after the decease of the survivor of them, if their son John Arboneau shall be living and under the age of eighteen years, to pay the said interest or income to him, until he shall attain his said age, and then to pay the principal money or assign the securities for the same to him; but if he shall not be living at the decease of his father and mother, or shall afterwards die before his said age of eighteen years, in either of the said cases the said principal sum of four hundred pounds and the securities for the same shall sink into my personal estate and be accounted part thereof.

Item. I give to my two Servants, Marianne Tribon and Henri Charnet, commonly called Picard, each one hundred pounds, and to every other Servant living with me at the time of my decease, and who shall have lived with me two years or longer, I give one year's wages more than what shall be due to them at my death.

And whereas I am the author of the several books or tracts following, viz.—

Remarks on the History of England, from the Minutes of Humphrey Oldcastle. In twenty-four letters.

A Dissertation upon Parties. In nineteen letters to Caleb Danvers, Esq.

The Occasional Writer, Nos. 1, 2, 3

The Vision of Camilick.

An Answer to the London Journal of December 21, 1728, by John Trot.

An Answer to the Defence of the Enquiry into the Reasons of the conduct of Great Britain.

A final Answer to the Remarks on the Craftsman's Vindication.

All which books or tracts have been printed and published, and I am also the author of Four Letters on History, &c., which have been privately printed and not published; but I have not assigned to any person or persons whatsoever the copy or the liberty of printing, or reprinting any of the said books, or tracts, or letters. Now I do hereby, as far as by law I can give and assign to David Mallet of Putney, in the county of Surry, Esq. the copy and copies of all the Manuscript books, papers, and writings, which I have written or composed, or shall write or compose, and leave at the time of my decease. And I further give to the said David Mallett all the books which at the time of my decease shall be in the room called my library.

All the rest and residue of my personal Estate, whatsoever and wheresoever, I give to my said Executors, and hereby revoking all former wills, I declare this to be my last Will and Testament. In witness whereof I have hereunto set my hand and seal, the twenty-second day of November, in the year of our Lord one thousand seven hundred and fifty-one.

HENRY SAINT JOHN, BOLINGBROKE.

Signed, sealed, published and declared by the said Testator, and as for his last Will and Testament in the presence of - - } OLIVER PRICE, THOMAS HALL.

Proved at London, the fifth day of March, 1752, before the Worshipful Robert Chapman, doctor of laws and surrogate, by the oaths of William Chetwynd and Joseph Taylor, Esquires, the executors named in the Will, to whom administration was granted, being first sworn duly to administer.

March, 1752.

WILLIAM LEGARD,
PETER ST. ELOY,
HENRY STEVENS.
} *Deputy Registers*

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